

A  
CATALOGUE  
AND  
COLLECTION



Of all those  
ORDINANCES,  
PROCLAMATIONS,  
DECLARATIONS, &c.

Which have been Printed and Published since the  
Government was established in His Highness the

Lord Protector :

(viz.)

From Decem. 16. 1653. unto Septemb. 3. 1654.

VVith their several DATES and  
DEPENDENCIES.

Comprised in a lesser volume then afore, for the better  
use and benefit of the READER.



LONDON,

Printed, by *William Du-Gard*, and *Henry Hills*, Printers to  
His Highness the Lord Protector. 1654. *a*

COLLECTION

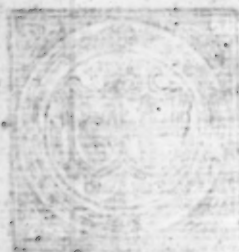
ORIGIN AND  
EVOLUTION

Government was established in the Highlands and  
which have been trained and published finally.

: 709909 I Bro.



He was born in 1848.



Printed by William Dawkins, and Mary Hill,  
The Binders, the Lord Protector, 1644.



A Catalogue of all those Ordinances, Proclamations, Declarations, &c. which have been printed and published since the Government was established in His Highness the Lord Protector, with their several Dates and Dependencies.



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## A Colle-



A Collection of all those Ordinances, Proclamations, Declarations, &c. which have been Printed and Published since the Government was established in the Lord Protector, until September 3. 1654. With their several Dates and Dependencies.

By the Counsel.



Whereas the late Parliament dissolving themselves, and resigning their Powers and Authorities, The Government of the Commonwealth of England, Scotland, and Ireland, by a Lord Protector, and Successive Triennial Parliaments, is now established; And whereas Oliver Cromwel, Captain-General of all the Forces of this Commonwealth, is declared Lord Protector of the said Nations, and hath accepted thereof: We have therefore thought it necessary (as we hereby do) to make publication of the Premises, and strictly to Charge and Command all, and every person and persons, of what quality and condition soever, in any of the said three Nations, to take notice hereof, and to conform and submit themselves to the Government so established. And all Sheriffs, Justices, Bayliffs, and other Publike Ministers, and Officers, whom this may concern, are required to cause this Proclamation to be forthwith published in their respective Counties, Cities, Corporations and Market Towns, To the end none may have cause to pretend ignorance in this behalf.

Given at White-Hall, this sixteenth day of December, 1653.

By the Lord Protector: A Proclamation of his Highness, with the consent of His Counsel, for continuing all persons being in Office for the execution of Publick Justice, at the time of the late Change of Government, until His Highness further Direction.

**O**Liver Lord Protector of the Commonwealth of England, Scotland and Ireland, considering, That whereas the exercise of the chief Magistracy, and the Administration of Government within the said Commonwealth is invested and established in His Highness, assisted with a Counsel; And lest thereupon the settled and ordinary course of Justice in the Commonwealth (if remedy were not provided) might receive interruption: His Highness in His care of the State, and publick Justice thereof (reserving to future consideration the Reformation and Redress of any abuses by His government, upon better knowledge taken thereof) is pleased, and doth hereby expressly Signifie, Declare and Ordain, by and with the advice and consent of His Counsel, who have Power until the meeting of the next Parliament, to make Laws and Ordinances for the Peace and Welfare of these Nations, where it shall be necessary, which shall be binding and in force until order shall be taken in Parliament concerning the same; That all persons, who on the Tenth day of this instant December, were duly and lawfully possessed of any place of Judicature, or Office of Authority, Jurisdiction or Government within this Commonwealth, shall be, and shall so hold themselves continued in the said Offices and Places respectively, as formerly they held and enjoyed the same, and not otherwise, until His Highness pleasure be further known: And all Commissions, Patents, and other Grants, which respect or relate unto the doing and executing of publick Justice; and all Proceedings, of what nature soever, in Courts of Common Law or Equity, or in the Court of Admiralty, or by Commissioners of Debtors, shall stand and be in the same and like force, to all intents and purposes, as the same were on the said Tenth day of this instant December, until further Order given by His Highness therein: And that in the mean time (for preservation of the publick Peace, and necessary Proceedings in matters of Justice, and for safety of the State) All the said persons, of whatsoever Place, Power, Degree or Condition, may not fail, every one severally according to his respective Place, Office or Charge, to proceed in the performance and execution of all Duties thereunto belonging, as formerly appertained to them and every of them, whilst the former Government was in being.

Given at *White-Hall* this one and twentieth of December, in the year of our Lord, One thousand six hundred fifty three.

An



## An Ordinance for continuing the EXCISE.

**W**HEREAS the time for receiving the Duty of Excise and New Impost, is near expiration, and it being necessary for the peace and safety of this Commonwealth that the same be continued, both for the satisfaction of the publick Debts charged upon the late Great Treasury, as also for carrying on the weighty Affairs of this Commonwealth, His Highness the Lord Protector, with the Advice and Consent of his Council, hath Ordained, and he it Ordained, That all and every the Acts, Ordinances, and Orders of Parliament touching the Excise, and every Clause, Sentence and Article in them, or any of them contained, and now in force, affect for the collecting, gathering and receiving, as concerning the Government and Ordering of the Excise and New Impost be continued, and the Duty of Excise and New Impost, according to the several Rates in them, or any of them expressed, be received, collected and paid in and through England and Wales, and Town and Port of Barwick upon Tweed, until the five and twentieth day of March, next coming; And that Luke Hodges, Thomas Bulstrode, and William Parker, or any two or more of them, be and are hereby constituted and appointed Commissioners of the Great Excise and New Impost, and are hereby impowered and authorized to execute and put in execution all and every the Powers and Authorities, privily granted by, or contained in all or any the late Acts, Ordinances, or Orders of Parliament, touching the Excise and New Impost, as well for the collecting and receiving the several Rates aforesaid, as concerning the Government and Ordering of the said Excise and New Impost, as fully and amply as any Commissioners for Excise, at the time of the making of this present Ordinance, may or ought to have done, and shall observe such further Orders and Directions as they shall from time to time receive from His Highness the Lord Protector, and his Council, touching the same; And for their Care, Pains, and Service therein, they shall have one penny in every twenty shillings raised and ledged for Excise and New Impost, Provided nevertheless, and it is hereby declared, that from and after the nine and twentieth day of December, 1653. The Commissioners aforesaid shall not be to farm, or admit any person or persons to farm the Excise of any Town, Parishes, and Villages, or places that are excisable by any Act, Ordinance, or Order of Parliament, without the Order and Direction of such Person as shall be appointed the same by His Highness the Lord Protector, and his Council. But the said Commissioners, or any two or more of them, shall manage and carry on the same, according to the best of their Judgments, to such good use, and means as may be most for the use of the People, and advantage of the Commonwealth.

Ordered by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobel, Clerk of the Council.

An Ordinance for continuation of one Act of Parliament, Entitled, *An Act for Redemption of Captives.*

**W**hereas by His Highness the Lord Protector, with the advice and consent of his Council, That one Act of Parliament, entitled, *An Act for the Redemption of Captives,* Printed by Order of Parliament of the six and thirtieth day of March one thousand six hundred and fifty, by and concerning the payment of one fourth part of one per Centum, being one Willing for every twenty Shillings paid for Custom and Subsidy according to the new Book of Rates, and all and every the Clauses, Forfeitures, Penalties, Provisions and Powers therein contained in reference to the collecting, receiving, and due payment of the said Duty of one per Centum, in such sort as by the said Act is appointed, be continued from and after the twenty first day of December, one thousand six hundred fifty and three, until the third day of October, which shall be in the year one thousand six hundred fifty and four, and no longer; and that the Commissioners for the Customs for the time being, their Deputy and Deputies, do receive and collect the same, and shall pay out, and employ all such sum and sums of money, as have been or shall be by them received and collected by virtue of the said before-mentioned Act, or any subsequent Act for continuation thereof, as by virtue of this present Ordinance, in such sort as His Highness, with the advice of his Council, or such person or persons as shall be appointed therunto, shall order and direct, whole Order from time to time shall be a sufficient discharge unto the said Commissioners for the Customs, for the time.

Given under the Great Seal of Great Britain, the 24. of December, 1653.  
*Ordered by his Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.*  
*Hen. Scabel, Clerk of the Council.*

An Ordinance for alteration of several Names and Forms heretofore used in Courts, Writs, Grants, Patents, Commissions, &c. and setting of Proceedings in Courts of Law, Justice and Equity within the Commonwealth of England, Scotland, and Ireland according to the present Government.

**O**ur Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, having the Care of the chief Magistracy, and the Administration of Government within the said Commonwealth,

monitively, inrolled and established in the High Court, to be used by a Counsel, who have Power until the meeting of the next Parliament (which is to be on the third day of September, now next ensuing) to make Rules and Ordinances for the Peace and Welfare of these Nations, where it shall be necessary, which shall be binding and in force until Order shall be taken in Parliament concerning the same.

And the said Lord Protector, finding it to be most necessary, that some speedy and effectual course be taken for settling the Peace, and Forms to be used in Patents, Commissions, and Proceedings in Courts of Justice, the said Lord Protector, by and with the Advice and Consent of his said Counsel, and in pursuance of, and according to the Power and Trust reposed in him and them, doth Declare and Ordain, That in all Courts of Law, Justice of Equity, and in all Writs, Grants, Patents, Commissions, Indemnities, Informations, Suits, Returns of Writs, and in all Fines, Recoveries, Exemplifications, Recognizances, Writs and Proceedings of Law, Justice of Equity, within the said Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, instead of the Name, Style, Title and Letters of the Keepers of the Liberty of England by Authority of Parliament, hereafter used, that, from and after the first and twentieth day of December, 1642, the Name, Style, Title and Letters of the Lord Protector, for the time being, of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, shall be used, with no other; And the same shall be in the year of our Lord and its date.

And that all Duties, Profits, Penalties, Fines, Forfeitures, and Forfeitures whatsoever, which heretofore were due for, in the name of the Keepers of the Liberty of England by Authority of Parliament, shall from and after the said first and twentieth day of December be prosecuted, sued forth, and recovered in the said name of the Lord Protector, for the time being, of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, and no other; And in all or any of the proceedings aforesaid, where the words were, The Jurors for the Commonwealth, or The Jurors for the Keepers of the Liberty of England by Authority of Parliament, so say or present from and after the said first and twentieth day of December it shall be, The Jurors for the Lord Protector, of the Commonwealth of England, Scotland, and Ireland, so say or present, and no other.

And all Judges, Justices, Officers and Ministers of Justice whatsoever, are to take notice hereof, and are hereby commanded and Required to proceed accordingly; And in pursuance hereof, from and after the said first and twentieth day of December, hereafter used, every to this Ordinance, shall be, and is hereby Declared to be null and void.

And it is hereby further Declared and Ordained by the said Parliament, That all Writs, Commissions, Informations, Informations, Returns, Suits, Writs, Fines, Recoveries, Exemplifications, Recognizances, Writs and Proceedings of the Courts of Record at Westminster, or any other Court of Record,



word, And all Pleas, Demurrers, Continuances, and Proceedings whatsoever in all and every such Indictments, Informations, Actions, Suits, Wills and Pleints shall be returnable, stand good and effectual, and be prosecuted and sued forth in such manner and form, and in the same state, condition and order (the said Changes and Alterations to be as in this Ordinance are particularly expressed) as if the change of Government had not been made, any Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding; And that any variance that shall be occasioned by reason thereof, touching any the said Writs, Process, or Proceedings, in the same, Style, Letter, or otherwise, shall not be in any wise material, as concerning any default or error to be alleged or objected thereunto.

And it is further Declared and Ordained by the said Lord Protector, with the consent of His Council: That from and after the said six and twentieth day of this instant December, All Indictments, Presentments, and Inquisitions for Treasons, Felonies, Misdemeanors and other Trespasses and Misdoings whatsoever, the pleadings therein, and the issues thereupon, shall and may be joined with such person and persons so indicted, Presented, or Prosecuted by the Clerks of the several Courts wherein such Indictments, Presentments or Inquisitions shall be proceeded upon, for and on the behalf of the said Lord Protector, as his Attorney, in such sort, manner and form, as they might have done, before the tenth day of this instant December, for and on the behalf of the Keepers of the Liberty, Manors, Customs, and Usage, to the contrary in any wise notwithstanding; And he it also Declared and Ordained by the Authority aforesaid, That all Indictments, Presentments, and Inquisitions taken by Coroners; And all Actions, Informations and Suits, for and on the behalf of the Keepers of the Liberty, or for and on the behalf of the said Keepers and some Informers or Informers, and now depending, or which did depend, in any Court of Justice, the tenth day of December instant, shall not be discontinued, or put without day, by this change of Government; but that the Process, Pleas, Demurrers, Issues and Continuances in every of the said Indictments, Presentments, Inquisitions, Actions, Informations and Suits, shall stand good and effectual, and be continued, prosecuted, and sued forth, in such manner and form, and in the same state, condition, and order, as the same were at the tenth day of December aforesaid; And that all manner of Judicial process that shall be had or pursued since the said tenth day of this instant December, upon the said Indictments, Presentments, Inquisitions, Actions, Informations or Suits, or upon the Pleas, Demurrers, or Issues, and all proceedings thereupon, shall be had, made and prosecuted in the same of the said Lord Protector, or as well by him, as by the Informer or Informers; And that variances touching the same Process and proceedings between the name of the said Keepers and the said Lord Protector, shall not be in any wise material as concerning any default or error to be alleged or objected for the same: And it is further Ordained, That all Indictments, Presentments, or Inquisitions, Actions, Suits, or Informations



mations for any offence committed or done in the time of the said Keepers of the Liberty, &c. or for any Debt due to the late King or Keepers of the Liberty, &c. or Cause of Action or Suit by Him or them, and were to be had, made, done, or prosecuted in the Name of the said late King or the Keepers of the Liberty, &c. and an Informer or Informers respectively, the same shall be had, made, done, and prosecuted, in the Name, and on the behalf of the Lord Protector, or in his Name, and the Name of some Informer or Informers, as the Case shall require, in such Sort as where such offences were committed, or where such Cause of Action was in one Kings time, and the Indiments, Presentments, Inquisitions, Actions, Informations and Suits, were to be in another Kings time, saving that the Name of the said Lord Protector shall be used in the Head and place of the succeeding King, or the Keepers of the Liberty, &c. And it is likewise Ordained by the Authority aforesaid, That all Indiments, Presentments, Inquisitions, Actions, Informations, or Suits, for any offence had, made, committed or done since the death of the late King, or for any debt, duty, or matter growing due, or cause of Action arising since that time, shall be had, made, done and prosecuted in the Name and for the behalf of the Lord Protector of the Commonwealth of England, Scotland, and Ireland, or in the Name of Him and an Informer or Informers, as the Case shall require; And that the Alterations, Additions, and Omissions in this Ordinance mentioned, shall extend aswell unto Appeals as Indiments, Presentments, and Inquisitions, as the Case shall require.

And it is further Ordained by the Authority aforesaid, That in all Oaths to be given to any Grand Jury or Petty Jury, or to, or for any Witnesses to give in Evidence to any such Jury or Juries, and in all other Oaths wherein the name of Keepers of the Liberty, &c. was wont to be used, the same shall be given in the name of the Lord Protector instead of the name of the said Keepers, &c. any Law, Usage or Custom to the contrary in any wise notwithstanding. And it is lastly Ordained by the Authority aforesaid, That such forms and courts of proceedings as were heretofore used in the name and time of the Keepers of the Liberty, &c. in causes Criminal or Civil, and of which no alteration is made in this Ordinance, shall stand and continue to be so used and observed as formerly; And that all Indiments, Presentments, Inquisitions, Commissions, and Captions made with such Alterations, Additions, or Omissions, as aforesaid, or with such other Omissions, Additions, or Alterations as shall be proper and necessary for making good of Indiments, Presentments, Commissions, Captions and Inquisitions, and supplying the sense and meaning thereof, according to the present Government of this Commonwealth under the Lord Protector, as aforesaid, shall stand and be good and effectual in Law to all intents and purposes, as if the same had been particularly herein named, Any Law, Custom, or Usage to the contrary in any wise notwithstanding.

Made the 26. of December, 1653.

Ordered by His Highness the Lord Protector, and His Counsel, That this Ordinance be forthwith Printed and Published.

Hm. Sedell, Clerk of the Counsel.

An

An Ordinance for the reviving of An Act of Parliament, Entitled, *An Act for Probate of Wills, and granting Administrations.*

**W**HEREAS the late Act Entitled, An Act for Probate of Wills, and granting Administrations, had continuance onely until the first day of October, one thousand six hundred fifty and three; It is hereby Ordained by His Highness the Lord Protector, with the consent of his Counsel, That the said Act, and the Authorities, Powers and Things therein contained, shall stand and be revised to continue in full Power and force until the first day of April next, to all intents and purposes.

And it is hereby further Ordained, That Richard Lucy, John Hildesley, Nathanael Barton, Jervas Bennet, Anthony Rous, Joachim Mathews, Edward Cludd, Thomas Wood, Esqs; and Robert Tichburn, Alderman of London, be added to the Judges mentioned in the said Act, to execute all and every the Powers given by the said Act, as fully as any of the Judges therein named may do.

Saturday the 24. of December, 1653.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

The Government of the Commonwealth of England, Scotland, and Ireland.

**I** That the Supreme Legislative Authoritie of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, shall be, and rest, in One Person, and the People assembled in Parliament; The Style of which Person shall be, Lord Protector of the Commonwealth of England, Scotland, and Ireland.

II.

That the Exercise of the chief Magistracie and Administration of the Government over the said Countries and Dominions, and the People thereof, shall be in the Lord Protector, assisted with a Counsel, The number whereof shall not exceed twenty one, nor be less than thirteen.

III.

That all Writs, Procceses, Commissions, Patents, Grants, and other things, which now run in the Name and Style of the Keepers of the Libertie of England by Authoritie of Parliament, shall

shall run in the same and style of the Lord Protector, from whom for the future, shall be derived all Magistracy and Justice in these three Nations; and shall have the power of Pardons, (except in case of Murder and Treason) and benefit of all forfeitures for the publick use. And shall govern the said Countries and Possessions in all things by the advice of the Council; and according to these Presents, and the Laws.

## IV.

That the Lord Protector, the Parliament sitting, shall dispose and order the Militia and Forces both by Sea and Land, for the peace and good of the three Nations, by consent of Parliament. And that the Lord Protector, with the advice and consent of the major part of the Council, shall dispose and order the Militia in the times above said in the Intervals of Parliament.

## V.

That the Lord Protector, by the advice aforesaid shall direct, in all things, concerning the keeping and holding of a good Correspondence with forraign Kings, Princes and States, and also with the consent of the major part of the Council have the power of War and Peace.

## VI.

That the Laws shall not be altered, suspended, abrogated, or repealed, nor any new Law made, nor any Tax, Charge, or Imposition laid upon the People, but by common consent in Parliament, save onely as is expressed in the thirtieth Article.

## VII.

That there shall be a Parliament summoned to meet at Westminster upon the third day of September, one thousand six hundred and four; and that successively a Parliament shall be summoned once in every third year, to be accounted from the dissolution of the preceding Parliament.

## VIII.

That neither the Parliament to be next summoned, nor any successive Parliaments, shall, during the time of the Wars, to be accounted from the day of their first meeting, be adjourned, prorogued, or dissolved without their own Consent.

## IX.

That as well the next, as all other meetings of Parliaments, shall be summoned, and elected in manner hereafter expressed; That is to say, The Persons to be chosen within England, Wales, the Isles of Jersey and Guernsey, and the Town of Berwick upon Tweed, to sit and serve in Parliament, shall be, and not exceed the number of four hundred. The Persons to be chosen within Scotland, to sit and serve in Parliament, shall be, and not exceed the number of thirty. And the Persons to be chosen to sit in Parliament, Ireland, shall be, and not exceed the number of thirty.

## X.

That the Persons to be elected to sit in Parliament, from time to time for the several Counties of England, Wales, the Isles of Jersey and Guernsey, and the Town of Berwick upon Tweed, and all places within the same respectively, shall be according to the proportions and numbers hereafter expressed, That is to say,



For the County of Bedford, six; viz.  
for the Town of Bedford, one.  
for the County of Bedford, five.

For the County of Berks, seven; viz.  
for the Borough of Abingdon, one.  
for the Borough of Reading, one.  
for the County of Berks, five.

For the County of Bucks, eight; viz.  
for the Town of Buckingham, one.  
for the Borough of Ailbury, one.  
for the Borough of Wiccomb, one.  
for the County of Bucks, five.

For the County of Cambridg and Isle of Ely, eight; viz.  
for the Town of Cambridg one.  
for the University of Cambridg, one.  
for the Isle of Ely, two.  
for the County of Cambridg, four.

For the County of Chester, five; viz.  
for the City of Chester, one.  
for the County of Chester, four.

For the County of Cornwall, twelve; viz.  
for the Borough of Dunislow, otherwise Launceston, one.  
for the Borough of Truro, one.  
for the Borough of Penryn, one.  
for the Boroughs of Eastlow and Westlow, one.  
for the County of Cornwall, eight.

For the County of Cumberland, three; viz.  
for the City of Carlisle, one.  
for the County of Cumberland, two.

For the County of Derby, five; viz.  
for the Town of Derby one.  
for the County of Derby, four.

For the County of Devon, twenty; viz.  
for the City of Exeter, two.  
for the Borough of Plymouth, two.  
for the Borough of Dartmouth, Clifton and Hardnes, one.  
for the Borough of Tonnets, one.  
for the Borough of Barnstable, one.

for the Borough of Tipton, one.  
for the Borough of Hoxton, one.  
for the County of Devon, eleven.

For the County of Dorset, ten; viz.



( II )

for the Borough of *Dorchester*, one.  
for the Borough of *Weymouth*, and *Melcomb-Regis*, one.  
for the Borough of *Lyme-Regis*, one.  
for the Town and County of *Pool*, one.  
for the County of *Dorset*, six.

For the County of *Durham*, three, viz.  
for the City of *Durham*, one.  
for the County of *Durham*, two.

For the County of *York*, twenty two, viz.  
for the City of *York*, two.  
for the Town of *Kingston upon Hull*, one.  
for the Borough of *Beverley*, one.  
for the Borough of *Scarborough*, one.  
for the Borough of *Richmond*, one.  
for the Town of *Leeds*, one.  
for the Town and Parish of *Hallifax*, one.  
for the County of *York*, fourteen, to be chosen distinctly by the  
three Ridings : That is to say, for the *West-riding*, six, for the  
*East-riding* four, for the *North-riding* four.

For the County of *Essex*, sixteen, viz.  
for the Borough of *Maldon*, one.  
for the Borough of *Colchester*, two.  
for the County of *Essex*, thirteen.

For the County of *Gloucester*, and County of the City of *Gloucester*  
nine, viz.  
for the City of *Gloucester*, two.  
for the Borough of *Tewksbury*, one.  
for the Borough of *Cirencester*, one.  
for the County, and the County of the City of *Gloucester*, except  
the said City, five.

For the County of *Hereford*, six, viz.  
for the City of *Hereford*, one.  
for the Borough of *Leominster*, one.  
for the County of *Hereford*, four.

For the County of *Hartford*, seven, viz.  
for the Town of *St Alban*, one.  
for the Borough of *Hartford*, one.  
for the County of *Hartford*, five.

For the County of *Huntingdon*, four, viz.  
for the Borough of *Huntingdon*, one.  
for the County of *Huntingdon*, three.

For the County of *Kent*, eighteen, viz.  
for the City of *Canterbury*, two.  
for the City of *Rocheſter*, one.

for the Borough of *Maidston*, one.  
 for the Port of *Dover*, one.  
 for the Port of *Sandwich*, one.  
 for the Borough of *Quinborough*, one.  
 for the County of *Kent*, eleven.

For the County of *Lancaster*, eight, viz.  
 for the Borough of *Preston* in *Anderneſt*, one.  
 for the Borough of *Lancaster*, one.  
 for the Borough of *Liverpool*, one.  
 for the Town and Parish of *Manchester*, one.  
 for the County of *Lancaster*, four.

For the County of *Leicester*, six, viz.  
 for the Borough of *Leicester*, two.  
 for the County of *Leicester*, four.

For the County of *Lincoln*, sixteen, viz.  
 for the City of *Lincoln*, two.  
 for the Town of *Boston*, one.  
 for the Borough of *Grantham*, one.  
 for the Town of *Stamford*, one.  
 for the Town of great *Grimsby*, one.  
 for the County of *Lincoln*, ten.

For the County of *Middleſex*, six, viz.  
 for the City of *Westminster*, two.  
 for the County of *Middleſex*, four.

For the City of *London*, six.

For the County of *Monmouth*, three.

For the County of *Norfolk*, sixteen, viz.  
 for the City of *Norwich*, two.  
 for the Town of *Lynne Regis*, two.  
 for the Town of great *Yarmouth*, two.  
 for the County of *Northfolk*, ten.

For the County of *Northampton*, eight, viz.  
 for the City of *Peterborough*, one.  
 for the Town of *Northampton*, one.  
 for the County of *Northampton*, six.

For the County of *Nottingham*, six, viz.  
 for the Town of *Nottingham*, two.  
 for the County of *Nottingham*, four.

For the County of *Northumberland*, five, viz.  
 for the Town of *Newcastle upon Tyne*, one.  
 for the Town of *Berwick*, one.

for the County of *Northumberland*, three.

For the County of *Oxford*, eight, viz.  
 for the City of *Oxford*, one.  
 for the University of *Oxford*, one.  
 for the Borough of *Woodstock*, one.  
 for the County of *Oxford*, five.

For the County of *Rutland*, two.

For the County of *Salop*, eight, viz.  
 for the Town of *Shrewsbury* two.  
 for the Borough of *Bruges*, alias *Bridgnorth*, one.  
 for the Borough of *Ludlow*, one.  
 for the County of *Salop*, four.

For the County of *Stafford*, six, viz.  
 for the City of *Litchfield*, one.  
 for the Town of *Stafford*, one.  
 for the Borough of *Newcastle on the Line*, one.  
 for the County of *Stafford*, three.

For the County of *Somerset*, sixteen, viz.  
 for the Borough of *Taunton*, two.  
 for the City of *Bath*, one.  
 for the City of *Wells*, one.  
 for the Borough of *Bridgwater*, one.  
 for the County of *Somerset*, eleven.

For the City of *Bristol*, two.

For the County of *Southampton*, fourteen, viz.  
 for the City of *Winchester*, one.  
 for the Town of *Southampton*, one.  
 for the Town of *Portsmouth*, one.  
 for the Isle of *Wight*, two.  
 for the Borough of *Andover*, one.  
 for the County of *Southampton*, eight.

For the County of *Suffolk*, sixteen, viz.  
 for the Borough of *Ipswich*, two.  
 for the Borough of *Bury St. Edmunds*, two.  
 for the Borough of *Dunwich*, one.  
 for the Borough of *Sudbury*, one.  
 for the County of *Suffolk*, ten.

For the County of *Surrey*, ten, viz.  
 for the Borough of *Southwark*, two.  
 for the Borough of *Guilford*, one.  
 for the Borough of *Rygate*, one.  
 for the County of *Surrey*, six.

For

For the County of *Sussex*, fourteen, viz.  
 for the City of *Chichester*, one.  
 for the Borough of *Lewes*, one.  
 for the Borough of *East-greenstead*, one.  
 for the Borough of *Arundel*, one.  
 for the Borough of *Rye*, one.  
 for the County of *Sussex*, nine.

For the County of *Westmorland*, two.

For the County of *Warwick*, seven, viz.  
 for the City of *Coventry*, two.  
 for the Borough of *Warwick*, one.  
 for the County of *Warwick*, four.

For the County of *Worcester*, seven, viz.  
 for the City and County of the City of *Worcester*, two.  
 for the County of *Worcester*, five.

For the County of *Wills*, fourteen, viz.  
 for the City of *New Sarum*, two.  
 for the Borough of *Marleborough*, one.  
 for the Borough of the *Devizes*, one.  
 for the County of *Wills*, ten.

For the County of *Anglesey*, two.

For the County of *Brecon*, two.

For the County of *Cardigan*, two.

For the County of *Carmarthen*, two.

For the County of *Carnarvon*, two.

For the County of *Denbigh*, two.

For the County of *Flint*, two.

For the County of *Glamorgan*, three, viz.  
 for the Town of *Cardiffe*, one.  
 for the County of *Glamorgan*, two.

For the County of *Merioneth*, one.

For the County of *Montgomery*, two.

For the County of *Pembrook*, three, viz.  
 for the Town of *Haverfordwest*, one.  
 for the County of *Pembrook*, two.

For the County of *Radnor*, two.



The distribution of the Persons to be chosen for Scotland, and the several Counties, Cities, and places within the same, shall be according to such proportions and number, as shall be agreed upon, and declared by the Lord Protector, and the major part of the Council, before the sending forth Writs of Summons for the next Parliament. The distribution of the Persons to be chosen for Ireland, and the several Counties, Cities, and Places within the same, shall be according to such proportions and number, as shall be agreed upon, and declared by the Lord Protector, and the major part of the Council, before the sending forth Writs of Summons for the next Parliament.

XL

That the Summons to Parliament shall be by Writ under the great Seal of England, directed to the Sheriffs of the several and respective Counties, with such alteration as may suit with the present Government, to be made by the Lord Protector, and his Council, which the Chancellor, Keeper, or Commissioners of the great Seal, shall seal, issue, and send abroad by warrant from the Lord Protector. If the Lord Protector shall not give warrant for issuing of Writs of Summons for the next Parliament before the first day of June, one thousand six hundred fifty four, or for the Triennial Parliaments before the first day of August in every third year, to be accounted as aforesaid; That then the Chancellor, Keeper, or Commissioners of the great Seal for the time being, shall, without any warrant or direction, within seven days after the said first day of June, 1654, seal, issue, and send abroad Writs of Summons (changing therein what is to be changed as aforesaid) to the several and respective Sheriffs of England, Scotland, and Ireland, for summoning the Parliament to meet at Westminster, the third of September next; and shall likewise within seven days after the said first day of August, in every third year, to be accounted from the dissolution of the precedent Parliament, seal, issue, and send abroad several Writs of Summons, changing therein what is to be changed, as aforesaid, for summoning the Parliament to meet at Westminster the fifth of November in that third year. That the said several and respective Sheriffs shall, within ten days after the receipt of such Writs as aforesaid, cause the same to be proclaimed and published in every Market town within his County, upon the Market days thereof, between Twelve and Three of the Clock; and shall then also publish and declare the certain day of the week and month for choosing Members to serve in Parliament for the Body of the said County, according to the tenor of the said Writ, which shall be upon Wednesday five Weeks after the date of the Writ; and shall likewise declare the place where Election shall be made; for which purpose he shall appoint the most convenient place for the whole County to meet in, and shall send Precepts for Elections to be made in all and every City, Town, Borough or Place within his County, where Elections are to be made by virtue of these Presents, to the Mayor, or Sheriff, or other Head Officer of such City, Town, Borough or Place, within three days after the receipt of such Writ and Writs, which the said Mayors, Sheriffs and Officers respectively are to make publication of, and of the certain day for such Elections to be made.

made in the said City, Town or Place aforesaid, and to cause Elections to be made accordingly.

## XII.

That at the day and place of Elections the Sheriff of each County, and the said Mayor, Sheriffs, Bailiffs and other Head Officers within their Cities, Towns, Boroughs and Places respectively, shall take view of the said Elections, and shall make return into the Chancery within twenty days after the said Elections of the persons elected by the greater number of Electors, under their hands and seals, between him on the one part, and the Electors on the other part; wherein shall be contained, That the persons elected shall not have power to alter the Government, as it is hereby settled in one single Person and a Parliament.

## XIII.

That the Sheriff, who shall wittingly and willingly make any false return, or neglect his duty, shall incur the penalty of two thousand Marks of lawful English Money; the one moiety to the Lord Protector, and the other moiety to such person as will sue for the same.

## XIV.

That all and every person and persons, who have aided, abetted, assisted, or abetted in any War against the Parliament, since the first day of January, One thousand six hundred forty one (unless they have been later in the service of the Parliament, and given signal Testimony of their good affections therein) shall be disabled, and be incapable to be elected, or to give any Vote in the Election of any Members to serve in the next Parliament, or in the three succeeding Triennial Parliaments.

## XV.

That all such, who have aided, assisted, or abetted the Rebellion in Ireland, shall be disabled and incapable for ever to be elected, or to give any Vote in the Election of any Member to serve in Parliament; as also all such who do or shall profess the Roman Catholic Religion.

## XVI.

That all Votes and Elections given or made contrary, or not according to these Qualifications, shall be null and void: And if any person who is hereby made incapable, shall give his Vote for election of Members to serve in Parliament, such person shall lose and forfeit one full years value of his real estate, and one full third part of his personal estate; one moiety thereof to the Lord Protector, and the other moiety to him, or them who shall sue for the same.

## XVII.

That the persons who shall be elected to serve in Parliament, shall be such (and no other then such) as are persons of known Integrity, fearing God, and of good conversation, and bring of the age of one and twenty years.

That all and every person and persons seized or possessed to his own use, of any Estate real or personal, to the value of Two hundred pounds, and not within the aforesaid Exceptions, shall be capable to elect Members to serve in Parliament for Counties.

## XIX.

That the Chancellor, Keeper, or Commissioners of the Great Seal, shall be sworn before they enter into their Offices, truly and faithfully to issue forth and send abroad Writs of Summons to Parliaments at the times, and in the manner before expressed; And, in case of neglect or failure, to issue and send abroad Writs accordingly, &c. or they shall for every such offence be guilty of High Treason, and suffer the pains and penalties thereof.

## XX.

That in case Writs be not issued out, as is before expressed, but that there be a neglect therein, fifteen days after the time wherein the same ought to be issued out by the Chancellor, Keeper or Commissioners of the Great Seal, that then the Parliament shall, as often as such failure shall happen, assemble and be held at Westminster, in the usual place, at the times prefixed, in manner and by the means hereafter expressed; That is to say, That the Sheriffs of the several and respective Counties, Shrievesdoms, Cities, Boroughs and places aforesaid, within England, Wales, Scotland and Ireland, the Chancellor, Masters and Scholars of the Universities of Oxford and Cambridge, and the Mayor and Bayliffs of the Borough of Berwick upon Tweed, and other the places aforesaid respectively, shall at the several Courts and places to be appointed as aforesaid, within Thirty days after the said fifteen days, cause such Members to be chosen for their said several and respective Counties, Shrievesdoms, Universities, Cities, Boroughs and places aforesaid, by such persons and in such manner, as if several and respective Writs of Summons to Parliament under the Great Seal had issued and been awarded according to the Tenor aforesaid: That if the Sheriff or other persons authorized, shall neglect his or their duty herein; That all and every such Sheriff and person authorized as aforesaid, in neglecting his or their duty, shall, for every such offence, be guilty of High Treason, and shall suffer the pains and penalties thereof.

## XXI.

That the Clerk, called The Clerk of the Commonwealth, in Chancery for the time being, and all others, who shall afterwards execute that Office, to whom the Returns shall be made, shall for the next Parliament, and the two succeeding Triennial Parliaments, the next day after such Return, certify the Names of the several persons so returned, and of the places for which he and they were chosen respectively, unto the Council, who shall peruse the said Returns, and examine whether the persons so Elected and Returned be such as is agreeable to the Qualifications, and not disabled to be elected: And that every person and persons being so duly Elected, and being approved of by the major part of the Council to be persons not disabled, but qualified as aforesaid, shall be



esteemed a Member of Parliament, and be admitted to sit in Parliament, and not otherwise.

**XXI** That the persons chosen and assembled in manner aforesaid, of any Sixty of them, shall be, and be deemed the Parliament of England, Scotland and Ireland; and the Supreme Legislative Power to be, and reside in the Lord Protector and such Parliament, in manner hereint expressed.

**XXII** That the Lord Protector, with the advice of the major part of the Council, shall at any other time than is before expressed, when the necessities of the State shall require it, summon Parliament in manner before expressed, which shall not be Adjourned, Prorogued or Dissolved without their own consent, during the first three Months of their sitting: And in case of future War with any foreign State, a Parliament shall be forthwith Summoned for their Advice concerning the same.

**XXIII** That all Bills agreed unto by the Parliament, shall be presented to the Lord Protector for his consent; and in case he shall not give his consent thereto, within Twenty days after they shall be presented to him, or give satisfaction to the Parliament within the time limited; That then, upon Declaration of the Parliament, That the Lord Protector hath not consented nor given Satisfaction, such Bills shall pass into, and become Laws, although he shall not give his consent thereto: Provided such Bills contain nothing in them contrary to the matters contained in their Presents.

**XXIV** That Philip Lord Viscount Lisle, Charles Fleetwood Esquire; John Lambert Esquire; Sir Gilbert Pickering Baronet; Sir Charles Wolley Baronet; Sir Anthony Ashley Cooper Baronet; Edward Montagu Esquire; John Deaborow Esquire; Walter Stuckland Esquire; Henry Lawrence Esq; William Sydenham Esq; Philip Jones Esq; Richard Major Esq; Francis Bous, Phil Skippon Esqs; or any Seven of them, shall be a Council for the purposes expressed in this Writing; and upon the death, or other removal of any of them, the Parliament shall nominate six persons of Ability, Integrity, and fearing God, for every one that is dead or removed, out of which the major part of the Council shall elect two, and present them to the Lord Protector, of which he shall elect one: And in case the Parliament shall not nominate within Twenty days after notice given unto them thereof, the major part of the Council shall nominate three as aforesaid to the Lord Protector, who out of them shall supply the vacancy; And until this Choice be made, the remaining part of the Council shall execute as fully in all things, as if their number were full: And in case of corruption, or other misbehaviour in any of the Council in their Trust, the Parliament shall appoint seven of their numbers, and the Council six, who, together with the Lord Chancellor, Lord Keeper, or Commissioners of the Great Seal for the time being, shall have power to hear and determine such



such corruption and miscarriage, and to award and inflict punishment as the nature of the Offence shall deserve; which punishment shall not be pardoned or remitted by the Lord Protector; And in the interval of Parliaments, the major part of the Council, with the consent of the Lord Protector, may, for Corruption, or other miscarriage as aforesaid, suspend any of their number from the exercise of their Trust, if they shall finde it just, until the matter shall be heard and examined as aforesaid.

## XXVI.

That the Lord Protector and the major part of the Council aforesaid, may at any time before the meeting of the next Parliament, add to the Council such persons as they shall think fit; provided the number of the Council be not made thereby to exceed One and twenty, and the Quorum to be proportioned accordingly by the Lord Protector and the major part of the Council.

## XXVII.

That a constant yearly Revenue shall be raised, settled and established for maintaining of Ten thousand Foot and Dragons, and twenty thousand Horse, in England, Scotland and Ireland, for the Defence and Security thereof; and also for a convenient number of Ships for guarding of the Seas; besides Two hundred thousand pounds per annum for defraying the other necessary Charges for administration of Justice, and other Expences of the Government; Which Revenue shall be raised by the Customs, and such other ways and means as shall be agreed upon by the Lord Protector and Council, and shall not be taken away or diminished, nor the way agreed upon for raising the same altered, but by the consent of the Lord Protector and the Parliament.

## XXVIII.

That the said yearly Revenue shall be paid into the Publick Treasury, and shall be issued out for the Uses aforesaid.

## XXIX.

That in case there shall not be raised hereafter to keep up so great a Defence at Land or Sea, but that there be an abatement made thereof; the Money which will be saved thereby, shall remain in Bank for the Publick Service, and not be employed to any other Use but by consent of Parliament; or in the intervals of Parliament, by the Lord Protector and major part of the Council.

## XXX.

That the raising of Money for defraying the Charge of present extraordinary Forces both at Land and Sea, in respect of the present Wars, shall be by consent in Parliament and not otherwise; save only that the Lord Protector, with the consent of the major part of the Council, for preventing the Damages and Damages which may otherwise fall out both at Sea and Land, shall have power, until the meeting of the first Parliament, to raise Money for the purposes aforesaid, and also to make Laws and Ordinances for the Peace and Welfare of these Parts, where it shall be necessary, which shall be binding and in force until Order shall be taken in Parliament concerning the same.

## D

## XXXI.

That the Lands, Tenements, Rents, Royalties, Jurisdictions and Hereditaments which remain yet unsold or undisposed of by Act or Ordinance of Parliament, belonging to the Commonwealth, (Except the Forests and Chases, and the Dignities and Honours belonging to the same; the Lands of the Rebels in Ireland, lying in the four Counties of Dublin, Cork, Kildare and Waterlough; the Lands forfeited by the people of Scotland in the late wars; and also the Lands of Papists and Delinquents in England, who have not yet compounded) shall be vested in the Lord Protector; to hold, to him and his Successors, Lord Protector of these Nations, and shall not be aliened, but by consent in Parliament; And all Debts, Fines, Issues, Amerciaments, Penalties and Profits, certain and casual, due to the Treasurers of the Exchequers of England by Authority of Parliament, shall be due to the Lord Protector, and be payable into his Publick Receipt, and shall be recovered and prosecuted in his Name.

## XXXII

That the Office of the Lord Protector over these Nations, shall be Elective, and not Hereditary; and upon the death of the Lord Protector, another fit person shall be forthwith elected to succeed him in the Government, whose election shall be by the Council; who, immediately upon the death of the Lord Protector, shall assemble in the Chamber where they usually sit in Council, and having given notice to all their number, of the cause of their assembling, shall being Thirteen at least present, proceed to the Election; and before they depart out of the said Chamber, shall elect a fit person to succeed in the Government, and forthwith cause Proclamation thereof to be made in all the three Nations as shall be requisite: And the person that they so the major part of them shall elect as aforesaid, shall be, and shall be taken to be Lord Protector over these Nations of England, Scotland, and Ireland, and the Dominions thereto belonging: Provided that none of the Children of the late King, nor any of his Line or Family, be elected to be Lord Protector, or other Chief Magistrate over these Nations, or any the Dominions thereto belonging. And until the aforesaid Election be past, the Council shall take care of the Government, and administer in all things as fully as the Lord Protector, or the Lord Protector and Council are enabled to do.

## XXXIII

That Oliver Cromwell, Captain General of the Forces of England, Scotland and Ireland, shall be, and is hereby declared to be Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereto belonging, for his life.

## XXXIV

That the Chancellor, Keeper or Commissioners of the Great Seal, the Treasurer, Admirall, Chief Governors of Ireland and Scotland, and the Chief Justices of both the Benchs, shall be chosen by the approbation of Parliament; and in the intervals of Parliament, by the approbation of the major part of the Council, to be afterwards approved by the Parliament.

That the Christian Religion, contained in the Scriptures, be  
held forth and continued as the publick Profession of these: That  
any, and that as far as may be, a provision be taken: to ac-  
quire and contention, and more certain than the present, be made for  
the Encouragement and Maintenance of able and painful Teach-  
ers, for Instructing the people: and for discoverie and correction  
of Error, Hereby, and whatever is contrary to sound Doctrine:  
And that, until such Provision be made, the present Ministries  
shall not be taken away nor impeached. And that in Iniquity and  
that to the publick Profession be held forth: mine shall be compell-  
ed by penalties or otherwise, but that Endeavour be made to win  
them by sound Doctrine, and the example of a good Conversation.

## XXXVII.

That such as profess Faith in God by Jesus Christ (though dis-  
fering in judgment from the Doctrine, Worship or Discipline pub-  
licly held forth) shall not be restrained from, but shall be pro-  
tected in the profession of the Faith, and exercise of their Religion;  
so as they abuse not this Liberty, to the civil Injury of others, and  
to the actual disturbance of the publick peace on their parts: Pro-  
vided this Liberty be not abused to Popery and Idolatry, and to  
such as, under the profession of Christ, hold forth and practise Li-  
centiousness.

## XXXVIII.

That all Laws, Statutes, Ordinances and Canons in this  
State and Dominion, to the contrary of the aforesaid Liberty,  
shall be esteemed as null and void.

## XXXIX.

That the Lords and Commons of Parliament, shall to the Sale  
or other Disposition of the Lands, Rents and Hereditaments, of  
the late King, Queen and Prince, of Arches, Bishops and Bishops, De-  
ans and Chapters, the Lands of Delinquents, and all other  
Lands, or any of them, or of any other Lands, Tenements,  
Rents and Hereditaments belonging to the Commonwealth, shall  
not be impeached of waste or other injury: And that the said Lords and  
Commons, that the said Statutes, shall by the said Parliament, or Par-  
liament for any sum or sums of money, by any of the said Lands,  
the Church, or any other publick Revenue, and also the said Statutes  
given by the publick Faith of the Nation: and the Payment of  
the Publick Faith for satisfaction of Debts and Damages, shall re-  
main firm and good, and not be made void and invalid upon any  
pretence whatsoever.

That the Articles given to, or made with the Enemy, and other  
words confirmed by Parliament, shall be performed and made good  
to the persons concerned therein: And that the said Statutes, shall be  
observed in the said Parliament, and all other proceedings, and of  
Sale of Delinquents Estates, may be heard and determined the  
next Parliament: Any thing in this Acting to the contrary of the con-  
tent of this Act notwithstanding.

That every successful Lord Protector, over these Nations, shall  
take and subscribe a Solemn Oath, in the presence of the Council,  
and



and such others as they shall call to them, That hee will seek the Peace, Quiet, and Welfare of these Nations, our Law and Justice to bee equally administered, and that hee will not violate or infringe the Patents and Things contained in this Writing; and in all other things will to his power, and to the best of his understanding, govern these Nations, according to the Lawes, Statutes and Customs.

XLII. That each person of the Counsel shall, before they enter upon their Trust, take, and subscribe an Oath: That they will bee true and faithful in their Trust, according to the best of their knowledge; And, that in the Election of every Successive Lord Protector, they shall proceed therein impartially, and do nothing therein for any promise, fear, favor, or reward.

*The Oath taken by His Highness OLIVER CROMWELL, Lord Protector.*

**W**Hereas the Major part of the last Parliament (judging that their sitting any longer, as then constituted, would not be for the good of this Commonwealth) did dissolve the same, and by a writing under their hands, dated the twelfth day of this instant December, resigned unto mee their Powers and Authorities; And whereas it was necessary thereupon, That some speedie course should bee taken for the settlement of these Nations upon such a Basis and Foundation, as, by the blessing of God, might bee lasting, secure Property, and answer those great Ends of Religion and Liberty, so long contended for; And upon full and mature Consideration had of the Form of Government hereunto annexed, being satisfied that the same, through Divine Assistance, may answer the Ends afore-mentioned; And having also been desired, and advised, as well by several persons of Interest and Fidelity in this Commonwealth, as the Officers of the Armie, to take upon mee the Protection and Government of these Nations in the manner expressed in the said Form of Government, I have accepted thereof, and



and do hereby declare my acceptance accordingly. And do promise in the presence of God, That I will not violate, or infringe the matters and things contained therein, but, to my power, observe the same, and cause them to be observed; And shall in all other things, to the best of my understanding, Govern these Nations according to the Laws, Statutes and Customs, seeking their Peace, and causing Justice and Law to be equally administered.

O. CROMWELL.

Oliver Cromwell, Captain General of all the Forces of this Commonwealth, and now declared Lord Protector thereof, did this sixteenth day of December, 1653. sign this writing, and solemnly promise, as is therein contained, in presence of the Lords Commissioners of the Great Seal of England, who administered the same Oath, and of the Lord Mayor and Aldermen of the City of London, divers of the Judges of the Land, the Officers of State and Army, and many other persons of quality.

An Ordinance appointing Commissioners for the better ordering and bringing in the Dutie of Excise, and the Arrears thereof.

**F**O: the more speedie and effectual getting in of all Arrears of Excise, Bee it Ordained by his Highness the Lord Protector, with the consent of His Counsel, and it is Ordained, That Sir William Roberts Knight, John Stone, Gervas Beaumont, John Hildesley, Richard Leicy, Edward Clud, Tho Wood, Anthony Rolin, James Phillip, and Nathanael Burton, Esquires; or any three of them, bee authorized and required, to consider and examine, by Oath or otherwise, what Arrears of the Excise are not yet paid into the Treasury for the same, and what remaineth in the hands of any Farmer, Commissioner, Sub-Commissioner, or other Person whatsoever, or for which any person or persons stand engaged with any Farmer or Sub-Commissioner; and to send for persons Accounts, Articles, Receipts, Bonds, or any Writings concerning Excise, or relating thereunto; and to hear all parties, and to determine all differences concerning the same, and to commit any person to safe custody for contempt; and if any person shall refuse or delay to pay into the said Treasury, all such Arrears of Excise, and every, or any part thereof, as by the said Commissioners, or any three of them shall bee adjudged due to the Commonwealth, and

and ordered to be paid, upon such default certified under the hand of the Treasurer, and from the said Commissioners, or any three of them; the Commissioners for Compounding at Haberdashers-Hall, shall Sequester the Estate of all such persons, both personal and real, till such Arrears be paid with Damages; and in case such Arrears and Damages shall not be received and paid within Six Months after such Sequestration, then all and every Estate so sequestered, and continuing so long in Sequestration, may and shall be sold by such person as the Commissioners herein named shall appoint, rendering the overplus to the person so offending, after such Arrears of Excise shall be fully paid, with Damages for the same: and if any Collector, Receiver, or any other Officer, or person at any time relating to the Excise, shall pretend any thing due to him from the Commonwealth, or from any Commissioners for the Excise, and upon that, or any other pretence, shall detain any Money in his hands, or Arrears unpaid into the Treasury, the said Commissioners, or any three of them, are hereby impowred to hear and determine the same, and to make such Order and Allowance in all such cases as shall be just; and the said Commissioners or any three of them, are impowred to hear and determine all Suits, Bills, Complaints, or Differences, and to relieve any person by delivering Bonds, releasing Cretents, or otherwise, in all Cases concerning Excise; as the Barons of the Exchequer, or the Committee of the late Parliament, for Inspecting the Treasuries, Regulating Officers Gallaries, or any other, might have done before this Ordinance, any Custom, Usage, Statute, Act, or Ordinance, to the contrary notwithstanding.

And it is further Ordained, That the said Commissioners or any three of them, be authorized to give Order to the Commissioners of Excise, to farm out the Excise of such Counties, Places, or Commodities, in England, Wales, and Town of Barwick upon Tweed, as to the said Commissioners shall appear to be most advantageous for the Commonwealth, and the ease of the People; to Commence from the 29 of December, 1653: and continue till the 25 day of March, 1654. So as the same be not at a less rate then the Excise of such County, Place, or Commodity, was farmed at the last year. And the said Commissioners, or any three of them, are impowred to approve and allow of such Gallaries, or yearly Wages, and other necessary Charges, as by the Commissioners for Excise shall be allowed to their Officers and others, and expended for carrying on of that Service; and shall have power to send for Parties, Witnesses, Writings, and Records, and to commit to Prison, such as shall appear unto them, to hinder and oppose the execution of the several Acts, Ordinances, and Orders of Parliament for the Excise, or the Ministers employed in the said Service; and shall from time to time, debate, consult, and devise of all ways and means for the improvement of the Excise, for the best advantage of the Commonwealth, in pursuance of the several Acts, Ordinances, and Orders of Parliament relating thereunto, and to prepare such Laws for the Lord Protector, and his Counsel, for removing of Obstructions and Improvement of the Excise, as they shall think fit and necessary; and from time to time to determine all such Differences  
which

which may happen and arise between the said Commissioners of Excise, and the Comptroller. And the said Commissioners, or any three of them, are impowred to release such person or persons from Prison, who shall bee committed by the Commissioners for the Excise, or their Sub-Commissioners or Farmers.

*Thursday, the 29 of December, 1653.*

Ordered by His Highness, the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

**An Ordinance for continuing the Powers of Commissioners for Compounding, &c. the Committee for advance of Money, and Commissioners of Indemnity.**

**B**E it Ordained by His Highness the Lord Protector by and with the advice and content of His Counsel, That an Act of Parliament, entituled, An Act impowering several Commissioners to put in execution all and every the Powers and Authorities heretofore given to the Commissioners for Compounding with Delinquents, and for managing all Estates under Sequestration; And to the Committee for advance of Money, formerly sitting at Haberdashers-Hall, be, and is hereby continued, and shall stand, be, and continue in force until the first day of February 1653. And that Samuel Moyer, Josias Berners, Richard Moore, John Upton, Edward Cary, and Rice Williams Esquires; or any four of them be hereby impowred and authorised to put in execution the said Act, and all and every the Powers and Authorities in and by the said Act given, and every Clause, Article and thing therein contained. And be it further Ordained by the Authority aforesaid, That one Act of Parliament, entituled, An Act for Transferring the Powers of the Commissioners for Indemnity, be, and is hereby continued, and shall stand, be, and continue in full force, until the said first day of February 1653. And that the Commissioners herein named, or any four or more of them, be hereby impowred and authorised to put in execution the said last mentioned Act, and all and every the Powers and Authorities in and by the same Act given, and every Clause and Thing therein contained.

*Saturday the 31. of December, 1653.*

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

**E**An



An Ordinance for Repealing of severall Acts, and Resolves of Parliament, made for, or touching the subscribing or taking the Engagement.

**V** Whereas many general and promissorie Oaths and Engagements, in former times imposed upon the People of this Nation, have proved burthens and snarcs to tender Consciences, and yet have been craged under severall penalties, forfeitures, and losses; upon consideration whereof, and out of a tendernes of requiring such Obligations, Be it Ordained by His Highness, the Lord Protector, by and with the advice and content of the Counsel, That one Act of Parliament, published in print the second of January one thousand six hundred forty and nine, Entituled, An Act for subscribing the Engagement; And certain Orders, Entituled, Resolves touching the subscribing to an Engagement, &c. And all and every Clause, Branch, Article, and Sentence in them, and every of any of them contained, shall from and after the nineteenth day of January, in the year of our Lord one thousand six hundred fifty and three, stand and be absolutely repealed, and annulled; And that all and every Clause, Branch, Article, proviso or Sentence contained in any other Act, Ordinance, Resolves or Order of Parliament, whereby the said Oath or Engagement is directed, and appointed to be taken, and administered, and all and every the penalties, losses, incapacities, disabilities, and forfeitures for not taking, or subscribing the same, shall from and after the said nineteenth day of January, in the year of our Lord one thousand six hundred fifty and three, (as to so much onely (and no more) as concerneth the said Engagement, and the penalties, losses, incapacities, disabilities, and forfeitures for not taking or subscribing the same; be, and are hereby, utterly repealed, and made void: And that the said Oath or Engagement, where the same is appointed to be Administred by it self, or where the same is inserted into any other Oath (as to so much onely as concerneth the said Engagement) shall not, from or after the said nineteenth day of January in the year of our Lord one thousand six hundred fifty and three, be administred unto, or taken by any Officer, Minister of Justice, or other Person whatsoever; but the same shall from thenceforth be wholly taken away and abolished to all intents and purposes whatsoever. And that from and after the said nineteenth day of January, in the said year of our Lord one thousand six hundred fifty and three, no Place or Office of trust within this Commonwealt, shall be made void, by reason of the not taking or subscribing the said Engagement. And it is lastly Ordained by the Authoritie aforesaid, That if any person or persons whatsoever have been delayed, hindered, or prejudiced in any Course or proceedings of Law, Justice, or Equitie, or hath not or cannot have the full benefit thereof, by reason or means that such person or persons hath not



or have not taken or subscribed the said Engagement, in such form; or at such time or times as hath or have been limited or appointed for the taking or subscribing thereof, such person or persons shall from henceforth be admitted unto, and have such course, pleadings and proceedings in Law, Justice, and Equity, as if such person or persons had taken or subscribed the said Engagement, in such manner and form, and at such time or times, as was or were directed or appointed for the taking or subscribing thereof, and not otherwise.

*Thursday the 24. of January, 1653.*

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forth with Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

An Ordinance declaring that the Offences herein mentioned, and no other, shall be adjudged High Treason within the Commonwealth of *England, Scotland, and Ireland*, and the Dominions thereunto belonging.

**T**he Government of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, and the Supreme Legislative Authority of the same being settled and established to be and reside in One Person, and the People assembled in Parliament (the Title of which Person is already declared to be Lord Protector of the Commonwealth of England, Scotland, and Ireland,) and the Exercise of the chief Magistracy and Administration of the Government over the said Countries and Dominions, and the people thereof, to be in the Lord Protector assisted with a Counsel, who have power, until the meeting of the next Parliament, (which is to be the third of September next) to make Laws and Ordinances for the Peace and Welfare of these Nations, where it shall be necessary, which shall be binding and in force until Order shall be taken in Parliament concerning the same; And it being a matter of greatest Importance to the just Government of a People, That Crimes and Offences of highest nature, Punishment and Forfeiture, should be most clearly and fully expressed, and reduced into such certainty as the people might readily know them, and knowing them, might the better shun and avoid the same; And by reason that the Nation of Scotland is reduced unto, and brought under this Government, which must necessarily occasion an alteration of some Laws formerly in force; His Highness revising and perusing the several Laws heretofore made in Cases of High Treason, and to the end the same might be brought into one Body, Doth Declare, Establish and Ordain, And bee it Established and Ordained by His Highness the Lord Protector, by and with the consent of His Counsel, That if

any person or persons shall compass or imagine the death of the Lord Protector for the time being; Or if any person or persons shall maliciously or advisedly either by writing, printing, openly declaring, preaching, teaching or otherwise publish, That the Lord Protector and the people in Parliament assembled are not the Supreme Authority of this Commonwealth; Or that the Exercise of the chief Magistracy and Administration of the Government over the said Countries and Dominions, and the people thereof, is not in the Lord Protector assisted with a Counsel; Or that the said Authority or Government is Tyrannical, usurped, or unlawful; Or that there is any Parliament now in being, or that hath any continuance, or any Law in force for continuing the Parliament which is hereby declared to have been absolutely dissolved and determined upon the twentieth day of April, one thousand six hundred fifty and three, and shall be adjudged and taken so to be; Or shall plot, contrive, or endeavour to stir up or raise force against the Protector or the present Government, or for the subversion or alteration of the same, And shall declare such endeavour or endeavours by any open Word, Then every such offence shall be taken and adjudged to be high Treason.

And whereas the Lord Protector and the Counsel, for the just and lawful defence of this Commonwealth, are at present necessitated, by reason of the manifold Distractions within the same, and Invasions threatened from abroad, to continue Armies and Forces in England, Scotland, and Ireland, which (under God) must be the Instrumental means of preserving the good people of these Nations in peace and safety; Bee it further Ordained and Established by the Authority aforesaid, That if any person (not being an Officer, Soldier, or Member of the Armies or Forces) shall plot, contrive, or endeavour to stir up any mutiny in the said Armies, or among the said Forces, or any of them; Or to withhold any Soldiers or Officers, or their obedience to their Superior Officers, or from the present Government as aforesaid; Or if any person or persons whatsoever shall procure, invite, aid, or assist any Foreigners or Strangers to invade England, Scotland, or Ireland, or any the Dominions thereunto belonging, or shall adhere unto any Forces raised by the Enemies of this Commonwealth; Or if any person or persons shall plot, contrive, or endeavour the betraying, surrendering or yielding up any City, Town, Fort, Magazine, Ship, Vessel, or Forces by Sea or Land belonging to this Commonwealth; Or if any person or persons shall counterfeit the great Seal of England, or of Scotland, or Ireland, for the time being, used and appointed by Authority of Parliament, or by the Lord Protector with the Consent of the Counsel; Or the sign Manual, print or Signet, or print Seal of the Lord Protector for the time being; Or if any person or persons whatsoever shall proclaim, declare, publish, or any way promote Charles Stuart eldest Son to the late King, or James Stuart one other of his Sons, or any other the issue or posterity of the said late King, or any other person or persons claiming by, from, or under him or them, or either or any of them, to be King or chief Magistrate of England, Scotland, or Ireland, or of either or any

any of them, or of any the Dominions to them, or either or any of them belonging; Or if any person or persons shall give, keep, or hold any Intelligence whatsoever, by Letters, Messengers, or otherwise, to or with the said Charles Stuart, James Stuart, the late Queen their mother, or any of them; Or if any person or persons shall counterfeit the money of this Commonwealth, or shall bring any false money into this Land, either counterfeit or other, like to the money of this Commonwealth (knowing such money to be false) to the intent to Merchandise, or otherwise; Or if any person or persons shall hereafter falsly forge or counterfeit any such kind of Coyne, either of Gold or Silver, which is not the proper Coyne of this Commonwealth, and yet is or shall be current within the same; Or shall bring from the parts beyond the Seas into this Commonwealth, or into any the Dominions of the same, any such false or counterfeit Coyne of money being current within this Commonwealth, as is abovesaid (knowing the said money to be false and counterfeit to the intent to utter or make payment with the same, within this Commonwealth, by Merchandise or otherwise; Or if any person or persons shall Impair, Diminish, Falsifie, Clip, Wash, Round, File, Scale or lighten so; wicked lucre or gains sake any the proper moneys of this Commonwealth, or of the Dominions thereof, or of the moneys or Coyns of any other place allowed or suffered to be current within this Commonwealth, or the Dominions thereof; Then all and every the Offences abovementioned shall be and are hereby deemed, obtained and adjudged to be high Treason; And the Offenders therein, and their counsellors, procurers, aiders and abettors, being convicted according to the Laws of this Nation of any of the said Offences, shall be and are hereby deemed and adjudged to be Traytors against this Commonwealth, and shall suffer and have such pains of death, and incur such disabilities, as in case of high Treason is used and obtained.

Provided always, That neither this Ordinance, nor any thing therein contained as touching the moneys and Coyns abovesaid, nor any attainder of any person or persons for the same, shall in any wise be adjudged to make any corruption of blood to any the heirs or heirs of any such Offender or Offenders, nor to make the wife of any such Offenders to lose or forfeit her Dowry of or in any Lands, Tenements, or Hereditaments, or her Title, Action, or Interest in or to the same.

Provided also, That no person or persons shall be Indicted or Arraigned for any of the offences before mentioned in this Ordinance, unless such Offender or Offenders shall be Indicted or prosecuted for the same within one year after the offence committed.

And it is lastly Ordained and Established, That no other Matter, Fact, Crime, or Offence whatsoever, than onely such as are herein mentioned and expressed, shall be deemed, taken, or adjudged to be high Treason, any Law, Statute, Act, or Ordinance to the contrary in any wise notwithstanding.

Provided nevertheless, and it is hereby declared to be the full purpose and true intent and meaning of this Ordinance, That the Laws and Statutes made in the times of the late Queen Elizabeth

and



and of King James against the pretended Authority of the Bishop of Rome, and his Sé, Jesuits, Seminary Priests, and Professors of the Romish Religion, should not be repealed, but stand, be, and continue in full force and effect in every Clause and part thereof; And therefore, If any person or persons shall attribute unto, maintain, or defend the Bishop of Rome, or his Sé, to have any Power, Authority, or Jurisdiction within this Commonwealth, Or if any person hath procured, or shall obtain from the Bishop of Rome or his Sé, any Bulls, writings or Instruments to absolve the people of this Commonwealth from their obedience to this Government, and to reconcile them to the Authority of the said Sé; And hath used, or put in Use, or shall use or put in Use, any such Instrument, either upon or beyond the Seas, or in any place within this Commonwealth, Or if any person or persons by colour of any such Instrument hath, or have heretofore taken or shall hereafter take upon him or them to absolve or reconcile, or to grant, or promise any such Absolution or Reconciliation; Or if any person or persons shall obtain or get any manner of Bull, writing, or other Instrument, either written or printed, which shall contain any thing, matter or cause whatsoever; Or shall publish, or by any ways or means put in Use any such Bull, writing or Instrument; Or if any person or persons shall pretend to have Power, or shall by any ways, or means, put in practice to absolve, persuade, or withhold any of the people of this Commonwealth from their obedience to the Government established in the same; Or to move any of them to promise any obedience to any pretended Authority of the Sé of Rome, or of any other Prince, State, or Potentate to be had or used within this Commonwealth; And shall do any overt Act to that intent or purpose; Or if any person shall by any means be willingly reconciled or absolved, or withholden aforesaid; Or shall promise any obedience to any such pretended Authority, Prince, State, or Potentate, as aforesaid; Or if any Jesuit, Seminary Priest, or such other Priest, Deacon, or Religious or Ecclesiastical person whatsoever being born in any parts within this Commonwealth, or the Dominions thereof, that hath been or shall be made, ordained, or professed by any Authority or Jurisdiction derived, or challenged, or pretended from the Sé of Rome, by, or of what Name, Title, or Degree soever the same be called, or known, and shall come into, be, or remain in any parts of this Commonwealth, or the Dominions thereof, That then all and every the offences abovementioned shall be and are hereby deemed and adjudged to be high Treason.

Thursday the 29. of January, 1653.

Ordered by His Highness the Lord Protector, and His Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.



## An Ordinance appointing a Committee for the Army and Treasurers at War.

**B**E it Ordained and Declared by his Highness the Lord Protector, with the consent of his Counsel, And it is hereby Ordained, That for the more effectual putting in execution of an Act of Parliament, Entituled, An Act for an Assessment at the rate of one hundred and twenty thousand pounds by the Moneth for six Moneths, from the five and twentieth of December, 1653. to the four and twentieth of June then next ensuing, towards the maintenance of the Armies and Navy of this Commonwealth, and published in Print by Order of Parliament of the four and twentieth of November, 1653. And for the Receiving, Disposing and Issuing forth of the Moneys payable by virtue thereof, and of all other Moneys that by any Act, Ordinance, or Order of Parliament have been, or are hereby, or before the four and twentieth of June, 1654. shall be appointed for, or towards the maintenance of the Armies of this Commonwealth, John Clerk, Edward Clud, Richard Lucy, Edward Horsman, James Philips, Edward Giff, John Hildesley, Jervas Bennet, Esqs. Captain Adam Bains, or any three or more of them, be a Committee for the Army. And that John Blackwell the younger, and Richard Dean, Esqs. shall be and are hereby continued and authorized to be Treasurers at War for the said six moneths Assessment, from the five and twentieth day of December, 1653. until the four and twentieth of June, 1654. and for all other the summes of Money for which they were appointed Treasurers at War by virtue of an Act, Entituled, An Act appointing a Committee for the Army, and Treasurers at War, published by Order of Parliament of the five and twentieth of July, 1653. And the said Committee for the Army are hereby appointed, and authorized to have the Care and managing of the whole business of bringing in the Moneys appointed to be Assessed, Levied, Collected, and Paid, in all and every the Counties, Cities, and Places, in England, and Wales, towards the said six moneths Assessments of one hundred and twenty thousand pounds a moneth, and of all other Moneys due, and in arrear of any former Assessment; And for that purpose, and also for the issuing forth and disposing of the said six moneths Assessment, and all other the said Moneys, in like manner as the Assessments and sums (for the ordering and disposing whereof, the persons named in the said last recited Act were appointed a Committee for the Army) were to be issued forth and disposed, that is to say, For the issuing forth of forty thousand pounds by the moneth out of the said six moneths Assessment of one hundred and twenty thousand pounds a moneth to the Treasurer of the Navy for the use of the Navy; and for the issuing forth and disposing of all other Moneys to be by virtue hereof issued forth, and disposed by them for the same uses and purposes for which the six moneths Assessments, and other sums in the said last recited Act mentioned, were appointed to be  
by

by them disposed, or for such other uses as are hereafter mentioned, The said Committee for the Army shall have, and are hereby authorized to use, and put in execution, all and every the Powers and Authorities, in as full and ample manner to all intents and purposes as the Committee of the Army had or were mentioned to have by virtue of the said last recited Act, for the management of the Patents and Affairs thereby committed unto them, and to proceed therein according to the Powers, Rules and Limitations in the said Act expressed. And the said Committee for the Army shall be, and are hereby further impowered, and authorized to have and put in execution the several Powers and Authorities which were by two several Orders of Parliament of the fourteenth of April, 1652. expressed to be given to the then Committee for the Army, for the disposal of the Arrears of all Assessments in the said Orders mentioned; And shall be, and are hereby impowered to confirm, or alter any Order, or Warrant, which (being made by the then Committee for the Army, relating to the said Orders of Parliament, or either of them) have not, or shall not before the passing of this Ordinance be fulfilled, observed and fully executed. And also the said Committee for the Army shall, and are hereby impowered and authorized to proceed in the satisfying the remainder of the Arrears due for service in Scotland, before the twentieth of October, 1651. and in refalking such sums of Money as upon examination shall appear to have been paid to any person, for himself, or others, in lieu of those Arrears, more than ought to have been paid according to the directions of an Order of Parliament of the eighth of August, 1653. made in that behalf. And the said Committee for the Army shall likewise have all and every the Powers and Authorities, which the Committee for the Army had, or were mentioned to have by the Act herein last before recited. And all and every the Commissioners for Assessments, Receivers, Collectors, Sub-Collectors, and other Persons concerned, or that shall be concerned in the Assessing, Levying, Collecting, and Payment of any part of the Assessments, or other sums before mentioned, or in the taking or making of rates, or surveys for the Assessments, shall be, and are hereby required to observe such Orders and Directions, as shall be made, and given for in those behalfs by the said Committee for the Army. And be it Ordained, and it is hereby Ordained, That the Warrants and Orders of the said Committee for the Army, to all, or any the purposes aforesaid, be by the said Treasurers at War, and by Sir John Wollaston, Knight, and the rest of the former Treasurers at War, and all others concerned therein, observed and obeyed accordingly; And the Warrant or Warrants of the said Committee for the Army shall be to all, and every the Treasurers at War aforesaid a sufficient discharge. And the said Committee for the Army shall be, and are hereby authorized and required, to exercise, and put in execution, all and every the Powers and Authorities given to the Committee for the Army by an Act of Parliament published in print by Order of Parliament of the nineteenth of October, 1653. touching the stating and determining the Accounts of all Officers and Soldiers, &c. Provided that the said Committee for the Army do not

not state, or make any Certificate for any sum claimed to be in Arrear and due before the fifth of January, 1647. And his it further Ordained by the Authority aforesaid, that the said Treasurers at War hereby continued, shall have the same Powers and Authorities to all intents and purposes, and shall have and take the like Salary and Allowances for six months, from the five and twentieth day of December, 1653. or proportionably for so long time as they shall continue to be Treasurers at War, as they had, and as were appointed to be made unto them by the Act herein before recited published in print the five and twentieth day of July, 1653. And the respective receivers General, that are or shall be appointed to receive any part of the said six months Assessments of one hundred and twenty thousand pounds a month, commencing the five and twentieth of December, 1653, shall forthwith after the receipt thereof transmit and pay, or cause to be paid, the Monies by them so received, to the said Treasurers at War, or where, or to whom they shall appoint to receive the same. And the receipt of the said Treasurers at War, shall be to the respective receivers General, and to all other persons, who shall by virtue of this Ordinance pay any Monies unto them, for the purposes aforesaid, a sufficient discharge. And the said Committee for the Army shall be, and are hereby authorized and required by their Warrant to Order and dispose the monthly Assessment laid upon Scotland (by resolve of Parliament, dated the twelfth day of November, 1653.) for and towards the payment of the Forces, and other necessary contingencies of the Military service there; And the Treasurer, or receiver General of the said Assessment is hereby ordered and required to observe such Warrant as shall be directed unto him by the said Committee for the Army for the purposes aforesaid. And the said Committee for the Army shall be and are hereby impowered to give Warrant for the satisfying, and allowing of all such sums of Money as were disbursed by any receivers General of the Assessments for the Army appointed before the five and twentieth of December, 1651. or by any former Treasurers at War, by any Order of Parliament, or by any Order or Direction of any former Committee for the Army; Provided that such disbursements were ordered and made for such purposes and uses, for which the then Committee for the Army ought to have given their Warrant, and did not give the same. And soasmuch as the Forces in England, Ireland, and Scotland, do necessarily require, any call for the Monies appointed for their use out of the one hundred thousand pounds charged for the use of the Army, by Order of Parliament of the first of January, 1652. and arising by the sale of any composition for Delinquents Estates; and also for some further supply to be made for them; Be it therefore Ordained, that all and every such sum and sums of Money as shall, on and after the thirtieth day of January, 1653, be paid unto and received by the Treasurers at Goldsmiths Hall for Requisitions or compositions (except for pensions and payments for the use of named Soldiers already appointed out of their receipts) shall be paid by the said Treasurers unto the Treasurers at War hereby appointed, until the remainder of the said one hundred thousand pounds, or so much thereof as shall not be satisfied by the moiety of the Monies arising by sale of Delinquents Estates upon the



the Act of Parliament for sale of and composition for those Estates, shall be fully satisfied. And also until the sum of one hundred thousand pounds more be fully satisfied and paid out of the said receipt for the further supply of the Armies. And the Treasurers for Sequestrations and Compositions are hereby required to make payment of the remainder of the said first one hundred thousand pounds. And also of the other one hundred thousand pounds to the said Treasurers at War accordingly, whose receipt shall be to the Treasurers for Sequestrations and Compositions a sufficient Discharge.

And be it further Ordained that the said Committee for the Army shall be, and hereby are impowred (by themselves, or such others as they shall appoint) to call to Account any Receivers, Collectors, Sub-collectors, or other persons who have received any sum or sums of Money, payable, or received by virtue of any Act, Ordinance or Order of Parliament for the British forces in Ireland, or for the relief or use of any the distressed British Inhabitants of Ireland, or for other service or relief of Ireland; and all persons concerned in such Account, are required to observe the orders and directions of the said Committee for the purpose aforesaid. And the said Committee are hereby impowred to issue forth their Orders or Warrants to any person or persons who have any of the said Monies in their hands, requiring them forthwith to pay in the same unto John Blackwell the younger, and Richard Dean Esqs; Treasurers at War, whose receipt shall be a discharge for the Monies which shall be so paid unto them; and if it shall appear unto the said Committee, that any person or persons have wilfully detained in their hands any sum or sums of Money as aforesaid, and not performed their duty and trust in the due disposal thereof, the said Committee for the Army (if they shall see cause) are hereby Authorized to award and order such person or persons to pay Interest for the same, after the rate of six pounds per Cent. for so long time as they have detained the Money in their hands. And be it further Ordained, that John Blackwell the younger, and Richard Dean Esqs; Treasurers at War, are hereby appointed and authorized to receive all such sums of Money (appointed for the British forces, or distressed Inhabitants of Ireland) as shall be, by the said Committee, by virtue hereof, ordered to be paid unto them, and to issue forth the same for the uses for which the said Monies were raised and received; And have been by any Act, Ordinance or Order of Parliament disposed and appointed, according to such order as shall be by the said Committee for the Army given therein; And the said Committee for the Army shall give their warrant for the disposal thereof for the uses aforesaid, according to such direction as they shall in that behalf receive from the Lord Protector and His Council. And be it further Ordained, that if any Receiver General, Collector, Sub-collector, or other person or persons shall neglect or refuse to observe the Order, or Warrant of the said Committee for the Army, and not pay in the Money of them required, that then upon Certificate thereof from the said Committee for the Army unto the Commissioners for Sequestrations, the said Commissioners are hereby required to sequester the Estate of such person or persons real and personal, until such time as the Warrant or Orders of the said Committee shall be wholly observed and fulfilled.

Saturday,



Saturday 28. January, 1653.

**O**rdere*d* by His Highness the Lord Protector, and the Counsell, That Thomas Rand, William Palmer, Robert Yarborough, Nehemiah Rawson, William Harvey, William Welby, Esqs; and the Mayor of Lincoln for the time being, be, and are hereby added to the Commissioners for the Monthly Assessment within the County of Lincoln, and are hereby impow*er*ed and authorized to act and put in execution all and every the Powers given to the Commissioners in the Act Entituled, An Act for an Assessment at the rate of one hundred and twenty thousand pounds by the month for six months, from the twenty fifth day of December, 1653. till the twenty fourth of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth, published in Print by Order of the twenty fourth of November, 1653. in such sort, to all intents and purposes as the said Commissioners therein named are thereby impow*er*ed to do, as if the persons aforesaid had been named in the said Act.

Order*e*d by His Highness the Lord Protector, and the Counsell, that Edward Hooper, Esq; and Philip Stanaby, be, and are hereby added to the Commissioners for the Monthly Assessment, within the County of Dorset, and are hereby required and authorized to act and put in execution all and every the Powers given to the Commissioners in the Act, Entituled, An Act for an Assessment, at the rate of 120000 l. by the month, for six months, from the twenty fifth of December, 1653. to the twenty fourth of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth, published in Print by Order of the twenty fourth of November last, in such sort to all intents and purposes as the said Commissioners therein named are thereby impow*er*ed to do, and as if they had been named in the said Act.

Order*e*d by His Highness the Lord Protector, and the Counsell, that the Mayor of Banbury for the time being be, and is hereby added to the Commissioners for the Monthly Assessment within the County of Oxon; and is hereby required and authorized to act and put in execution all and every the Powers given to the Commissioners in the Act, Entituled, An Act for an Assessment, at the rate of 120000 l. by the month, for six months, from the twenty fifth of December 1653. to the twenty fourth of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth, published in Print by Order of the twenty fourth of November last, in such sort to all intents and purposes as the said Commissioners therein named are thereby impow*er*ed to do, and as if they had been named in the said Act.

Order*e*d by His Highness the Lord Protector, and the Counsell, That Christopher Peircehay Esquire, and Sir Robert Barwick Knight, be, and are hereby added to the Commissioners for the Monthly Assessment within the County of York; and are hereby

required and authorized to act and put in execution all and every the Powers given to the Commissioners in that Act, Intituled, An Act for an Assessment, at the rate of 120000<sup>l</sup> by the month, for six months; from the 25 day of December 1653; to the 24 of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth; published in print by order of the 24 of November last, in such sort to all intents and purposes as the said Commissioners therein named are thereby impowred to do, and as if they had been named in the said Act.

Saturday the 28. of January, 1653.

Ordered by His Highness the Lord Protector, and His Counsel, That the Ordinance and Orders aforesaid, be forthwith Printed and Published. Hen. Scobell, Clerk of the Council.

### An Ordinance for the better ordering and disposing of the Estates under Sequestration.

**B**E it Ordained by His Highness the Lord Protector, by and with the advice and consent of His Counsel, That Josias Barners, Edward Winslow, Richard Moor, John Upton, Edward Cary, and Rice Williams, Esquires, or any four of them, be, and are hereby Constituted and Ordained, Commissioners for the manning, ordering, and disposing of the Estates of all Delinquents now sequestred, or which shall be adjudged Delinquents, upon cases now depending, and of all Estates now under Sequestration for Recusancy. And that the said Commissioners, or any four of them, shall from and after the tenth day of February, in the year one thousand six hundred fifty and three, have Power, and are hereby Authorized to mannage, order, set, let, or dispose of all and every the said Estates, during such time as the same shall remain under Sequestration. Provided, no Lease thereof to bee granted, exceed the term of one year; And that the whole Rents, Revenues and Profits of the said Sequestrations and sequestred Estates shall be paid in at Goldsmiths-Hall to the hands of Richard Sherwin and John Leach, Esqs; who are hereby constituted and appointed Treasurers of the said Receit. And the said Commissioners are hereby Authorized and required to call all Commissioners for Sequestrations, Treasurers, Receivers, and other persons employed by the former Commissioners for compounding, in the several Counties, to an Account for all and every sum and sums of Money in their or any of their hands, of the said sequestred Estates, or any of them. And bee it Ordained by the Authority aforesaid, That all and every the Commissioners for Sequestrations in the respective Counties, and all and every the Farmers and Tenants, of the said sequestred Estates, and all others who have any part of the Rents or other Profits of the said sequestred Estates in their hands, shall forthwith pay in the same unto the Treasurers before named, whose acquittance

acquittance shall be a sufficient discharge to the persons so paying in the same, for so much as shall be so paid in by them as aforesaid; and if they, or any of them shall make default or neglect to pay in the same before the five and twentieth day of March, 1654. That then they and every of them so making default shall forfeit unto the Commonwealth so much more as the said Commissioners herein named shall think fit, not exceeding the moiety of such moneys as shall be discovered to be in their hands, or due upon their Account to be levied upon their Lands and Chatties by order of the said Commissioners; And the said Commissioners are hereby Authorized and imployed to continue or remove from time to time such of the persons now employed as Commissioners for Sequestrations in the respective Counties, as they shall see cause, and to place other honest and able Persons in their Room, as also other Officers and Agents, and to reduce them to such a number onely as shall be necessary for the carrying on of this service, and may most conduce to the lessning the publick charge. And the Commissioners for Sequestrations in the County shall have and retain to their own use, for their Salary twelve pence in the pound of all such moneys as shall be paid by them into the Treasury at Goldsmiths Hall, out of the profits of the said sequestered Estates, and that all other Officers that shall be employed by the said Commissioners in this Pointance before named shall have such salary and allowance as the said Commissioners shall think fit; And the said Commissioners before named shall have and exercise such and the like Powers and Authorities for compounding with all or any the Persons named in one Act of Parliament, Entituled, An Additional Act for sale of several Lands and Estates forfeited to the Commonwealth for Treason, and with the Heirs, Executors, or Assigns, of such person or persons, as the late Commissioners for Compounding, by virtue of the said Act, had or might lawfully use or exercise according to the directions set down in the said Act, and shall also have power to receive, examine, hear, and determine all matters concerning Claims, Charges or Incumbrances upon any the Estates before mentioned, and to allow such of them as shall appear to have been bona fide made or charged before the Cause of Sequestration committed; and also to examine, hear and determine all Questions touching the Delinquency of any of the persons not formerly Judges, and to receive all informations touching any Debts, or other Estate belonging to any Delinquent or Papist under Sequestration, and to inquire into and examine what Estates, Charges or Incumbrances have been heretofore allowed upon the said sequestered Estates, for life, years, or otherwise, which are expired or satisfied, and to take order for the re-sequestring of such Estates; And the said Commissioners herein named shall have power, and are hereby authorized to receive the whole or the remaining part of the Fines which have been set for the Composition of any Delinquent who hath elapsed time of payment of all or any part thereof (either without interest, if the Commonwealth hath enjoyed the whole Estate, or with interest, if the Delinquent hath enjoyed the same) Provided, the said Fines, or the remaining part of such Fines, be paid into the Treasury aforesaid, before the said twenty fifth day of March



March next coming; Provided also, that if it shall appear unto the said Commissioners, that any of the Fines not yet paid in, were unduely charged or miscast, the said Commissioners shall have power and authority to rectifie the same, and upon payment of such Fines, remainder of such Fines, as are unpaid, or the Fines so rectified, the said Commissioners shall have power to discharge the Sequestrations.

And bee it further Ordained by the Authority aforesaid, That the Commissioners aforesaid bee im, owered to issue out their Order for payment of such quit rents, out-rents, and issues, as are duely charged upon, or issue out of the Estates under Sequestrations, and the Arrears thereof, since the four and twentieth of December, 1649. and also to issue Warrants from time to time for repayment of moneys there deposited, or unduely received, or that shall hereafter bee so deposited or unduly received, as they shall see cause. And bee it likewise Ordained by the Authority aforesaid, That all and every Delinquent whatsoever not having compounded, or being inserted into any Act for sale, or the Heirs, Executors, or Assigns of any such Delinquent deceased, who shall discover any part of the real or personal estate of any such Delinquent, which Estate is not under actual Sequestration, nor disposed of by the Parliament, shall bee admitted to compound for such Estate so by him discovered, at the rates following (that is to say) for real Estates at one full years value, and for personal Estates at one fifth part, and that the Commissioners aforesaid shall admit them to such composition accordingly; And that such Fine as shall bee set by the Commissioners according to the Rules aforesaid being paid, the Estate so compounded for shall bee from thenceforth absolutely discharged from being liable to any Sequestration, Forfeiture, or other Question for or in respect of the delinquency of such Delinquent; Provided, that such discovery and composition be perfected, and the Money paid before the twentieth day of April, 1654. And bee it further Ordained by the Authority aforesaid, That the said Commissioners herein named and the Commissioners for Sequestrations in the respective Counties, shall have Power, and are hereby Authorized, to examine witnesses upon oath, if they shall see cause, in all Cases depending, or which shall depend before them, and concerning any Estate under Sequestration.

And lastly it is Ordained, That the Commissioners herein named be authorized and impowred to hear and determine all Causes which were on the one and thirtieth of January last depending before the Commissioners for Compounding according to the Acts and Ordinances for giving Indemnity, as the said Commissioners might and ought to have done by force of an Act, Entituled, An Act for transferring the Powers of the Committee for Indemnity.

Friday the 10. of February, 1653.

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An



## An Ordinance of Explanation touching Treasons.

**W**HEREAS by An Ordinance, Entituled, An Ordinance Declaring that the Offences therein mentioned, and no other, shall bee adjudged High Treason within the Commonwealth of England, Scotland, and Ireland, it is, amongst other things, Ordained and Established, That no Matter, Fact, Crime or Offence whatsoever, other than such as are therein mentioned and expressed, should bee deemed, taken, or adjudged to bee High Treason; And whereas some doubts and question may arise, whether that Clause in the said Ordinance doth not extend to the Offences mentioned in the Instrument, Entituled, The Government of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, and which are thereby Declared to bee High Treason; For clearing thereof, and removing all scruples thereupon, His Highness the Lord Protector, by and with the advice of His Counsel, Doth Declare and Ordain, That neither the said Ordinance, nor any Clause or thing therein contained, shall extend or bee construed, adjudged or taken to extend unto all or any the Offences declared by the said Instrument to bee High Treason, but that all and every the said Offences are hereby adjudged, and shall bee adjudged, taken and deemed to bee High Treason, and that all and every the Offendor and Offendours shall suffer the pains and penalties of High Treason, the said Ordinance, or any thing therein contained to the contrary, in any wise notwithstanding.

Friday the 17. of February, 1653.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An Ordinance touching the Assessing, Levying, and Collecting of the latter three Months Assessment, appointed by an Act of the late Parliament, Entituled, *An Act for an Assessment at the rate of 1200000l. by the Month, for six Months, from the 25. of December 1653. to the 24. of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth.*

**W**HEREAS by an Act of the late Parliament, Entituled, An Act for an Assessment at the rate of one hundred and twenty thousand pounds by the Month, for six Months, from the five and twentieth day of December one thousand six hundred fifty and three, to the four and twentieth day of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth, It is among other things provided and enacted, That if the Commissioners for any County, City, or Town in the said Act named, should at their second general meeting finde, that, for want of sufficient time, a just and perfect survey,

or rate, of each Parish and place within such County, City, or Town, as is directed by the said Act, could not be made, and returned, so as to proceed to the rating and apportioning of the whole six months Assessments, in way and manner as is in that Act prescribed, That then it shall and may be lawful for the said Commissioners in any of the said Counties, Cities, or Towns, where the said surveys and rates for want of such sufficient time shall not be made and returned as aforesaid, to proceed at their second general meeting, to apportion the first three of the said six months Assessments, according to the most just and equal way of rates held in such Counties, Cities, and Towns; And the Commissioners of such Counties, Cities, and Towns, in their respective Divisions, to cause the same to be assessed, levied, collected, and paid. And the Assessors, Collectors, and Sub-collectors in their respective Divisions, Parishes, and places were thereby authorized and required, in assessing, levying, and collecting of the said first three months Assessment, to proceed accordingly. And in such Counties, Cities, and Towns where the first three months Assessment was appointed to be assessed, and levied according to the rates held in such places as aforesaid, the several and respective Commissioners, and other persons therein, were authorized to put in execution all the powers given by that Act unto them, for causing the said three months Assessment to be fully, and timely assessed, collected, levied, and paid, as if the same had been assessed and rated by a pound rate, and as the six months Assessment appointed by that Act, were therein directed to be assessed and rated. But for the apportioning assessing, levying and payment of the last three of the said six months Assessment by a survey and pound rate; It was Enacted, That the Commissioners of such Counties, Cities and Towns, where the first three months Assessment should be appointed to be rated, assessed and paid, according to the rates held in such places as aforesaid, or the major part of them present at the said second general meeting, were thereby authorized, and required to appoint a third general meeting, on the first day of March, one thousand six hundred fifty and three, and at their said second general meeting to give such orders and directions, and appoint such times for the effectual taking, examining and returning of surveys, and determining all controversies which might happen therein, as that a true, and perfect survey of each parish, and place within such County, City, or Town might be returned unto them at their said third general meeting. And the said Commissioners in their respective Divisions, and hundreds, or any two of them were likewise to proceed effectually therein, according to the powers given them in that Act for that purpose. And the Commissioners for such County, City, or Town, or the major part of so many of them as should be present at the said third general meeting, were thereby required to sum, and call up the total of the surveys of each County, City, and Town, and to proceed to apportion, levy, and raise the said latter three months Assessment upon all Estates real and personal, in such manner, and by such ways, as the six months Assessments were therein first appointed to be rated, assessed, levied and paid.

And

And whereas by the said Act the later three moneths Assessment is appointed to bee collected so as the same may bee fully paid in to the high Collectors, and by them to the Receiver General, to compleat the whole six months Assessment at, or before the twentieth day of April at the furthest, which shall bee in the year, One thousand six hundred fifty and four. Now to the end the whole Assessment by the said Act appointed may bee fully collected, and paid in for the preventing of straggling, and for the more effectual carrying on of the publick service, His Highness the Lord Protector by and with the advice and consent of his Counsel doth Declare and Ordain, That in case the way, or manner of assessing the said later three months Assessment by a pound rate, in such sort as is prescribed by the said Act shall prove prejudicial, and obstructive to the bringing in the said latter three months Assessment appointed by the said Act, by the time in the said Act for that purpose limited, That then, and in all such cases, the said Commissioners in any of the said Cities, Counties, Towns, and places in the said Act mentioned where such obstructions shall bee or happen, shall appoint a general meeting together, and the major part of them meeting may, and are hereby authorized (for the removal of such obstructions, and the more speedy and effectual execution of the said Act) to proceed according to the most just and equal way of rates held in such places in the proportioning, levying and assessing the respective sums charged upon them, any thing in the said Act to the contrary thereof contained in any wise notwithstanding.

Friday, the 17 of February, 1653.

Ordered by His Highness, the Lord Protector, and his Counsel,  
That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

### An Ordinance for reviving the Jurisdiction of the County Palatine of Lancaster, and for holding an Assizes there.

**B**E it Declared and Ordained by His Highness the Lord Protector, by the advice and consent of His Counsel, That all Privileges and Jurisdictions belonging to the Countie Palatine of Lancaster, and the Inhabitants thereof, bee, and are hereby revived and continued, as fully and amply to all intents and purposes, as the same were at any time before the tenth day of October last. And that all Actions as well real as personal, and all other Actions mirt or otherwise, Pleas, Precepts, Writs, Proses, Demurrers, Recognizances, Fines, Recoveries, and all other Proceedings, Matters and Things, of what nature or quality soever, now depending in any Court within the said County Palatine, or there commenced or prosecuted since the said tenth day of October, shall bee and stand revived, continued, and of full force and effect in the Law, to all intents, constructions and purposes.

And that all Process, Pleas, Demurrers and Proceedings in every such Action, Actions, Sutes, Bills or Plaints, which were there depending the said tenth day of October last, or commensed or prosecuted there at any time since, shall stand good and effectual, and bee proceeded in according to the Lawes of the Nation, and the proceedings used within the said County Palatine of Lancaster.

And bee it hereby further Ordained, That Matthew Hales, one of the Justices of the Court of Common-pleas at Westminster, and Hugh Wyndham Serjeant at Law, shall bee Justices of Assises and Goal-delivery within the said County Palatine, and that the said Justices, or either of them, shall and may act, do and perform all Matters and Things, as well concerning Criminal as Common Pleas, and all other Pleas and Proces whatsoever, in such maner and form as any other Justice or Justices of Assises at Lancaster have usually acted, done and performed at any time heretofore. And the Commissioner for keeping the Seal of the said County Palatine of Lancaster hereafter named, is hereby Authorized and appointed to issue forth to the said Justices, for the execution of the premises, such Commission or Commissions as in such cases have been heretofore in the said County Palatine used and accustomed. And that Thomas Fell Esq; be, and is hereby made and appointed Commissioner for keeping of the Seal of the said County Palatine of Lancaster, and shall have all such Powers as any Chancellor or Commissioner for keeping the Seal of the said County Palatine hath formerly lawfully used and exercised concerning the same, till further Order.

Tuesday, Febr. 28. 1653.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.

### An Ordinance for continuing the EXCISE.

**T**He late Ordinance of the four and twentieth of December, 1653. for continuance of the Receipt of the Excise, and New Imposst extending no further than the five and twentieth of this instant March, and the publick Debts assigned upon the Receipts thereof, being not possible to be discharged within that time, and it being necessary to provide a continual supply for the carrying on the weighty Affairs of this Common-wealth out of this Revenue, which is still found to be the most equal and indifferent Levie that can be laid on the People; His Highness the Lord Protector with the advice and consent of his Counsel, doth Ordain. And bee it Ordained, That from and after the said five and twentieth day of this present March, the severall Rates and Charges hereafter set down, and every of them, and none other, in the right of the dutie of Excise, shall bee set, laid and imposed, and are hereby laid, set and imposed, to bee had, levied, demanded, collected, received, recovered, and



and paid, in and through England and Wales, and Town and Port of Berwick, upon all and every the Commodities, Merchandises and Manufactures, native and foreign, in manner following, that is to say,

*Rates of Excise and Commodities of inland making or growth.*

For every Barrel of Beer or Ale of above six shillings the Barrel brewed by the common Brewer, or by any other person or persons who shall sell or tap out Beer or Ale publickly or privately, to bee paid by the said Brewer or such other person or persons respectively, two shillings } l. s. d.  
00 02 00

For every Barrel of six shilling Beer or Ale, or above four shilling the Barrel, brewed by the common Brewer, or by any other person or persons, who shall sell or tap out such Beer or Ale publickly or privately, to bee paid by the said Brewer, or such other person or persons as aforesaid respectively, six pence } 00 00 06

And so proportionably for a greater or lesser quantity of Beer or Ale above four shillings the Barrel.

And no allowance to bee made from henceforth for any Beer or Ale to bee used in Fishing Vessels at Sea, which is bought of the common Brewer or Retailer of Beer or Ale.

Allum English, the hundred weight, containing one hundred and twelve pounds, to be paid by the maker, six pence } 00 00 06

Coperas English, the hundred weight, containing one hundred and twelve pounds, to be paid by the maker, six pence } 00 00 06

Hops English, the hundred weight, to be paid by the Planter, two shillings } 00 02 00

Saffron English, for every twenty shillings value, to be paid by the Planter, one shilling } 00 01 00

Tin, for every twenty shillings value, to be paid by the buyer, one shilling } 00 01 00

Iron English, for every hundred weight, containing one hundred and twelve pounds, to be paid by the maker, one shilling six pence } 00 01 06

For all Aquavitz or strong-water made or distilled within the Commonwealth, whether of foreign or domestic Spirits or materials, to be sold, upon every Gallon, to be paid by the first maker or seller thereof respectively, two pence } 00 00 02

For every Barrel of Sope made within this Commonwealth of what sort soever, to bee paid by the maker, and so proportionably for hard Sope or soft Sope made within the Land, four shillings— } l. s. d.  
00 04 00

For every Ounce Troy of Silver or Gold prepared, melted down, or disgrossed for Wyer, to bee paid at the Bar where the same shall bee disgrossed, two pence— } 00 00 02

For every pound weight, containing sixteen ounces Averdupois, of any Copper or other metal, that shall bee prepared, made fit, or disgrossed, to bee paid at the Bar where the same shall bee disgrossed, one shilling— } 00 01 00

For all Linseed Oyl, Whale Oyl, Blubber Oyl, Rape Oyl, Pilchard Oyl, and all other Oyls made within this Commonwealth, upon every Tun, to bee paid by the maker, six shillings per Tun— } 00 06 00

For every fother of Lead, containing two thousand pound weight, at one hundred and twelv pounds to the hundred, to bee paid by the maker or smelter, six shillings eight pence— } 00 06 08

For all Salt, made, or to bee made within England, Wales, or Town of Berwick, which is or shall bee shipped or conveyed by water, to bee paid by the first buyer of such Salt at the place of Landing or unloading thereof, upon every Gallon, a half penny— } 00 00 00 1/2

For all other Salt, made, or to bee made within England, Wales, or Town of Berwick, and not shipped or conveyed by water, to bee paid by the first Buyer thereof upon the first delivering, upon every Gallon, a half penny— } 00 00 00 1/2

Upon all Salt upon Salt, that is made of Salt within England, Wales, or Town of Berwick, to bee paid by the maker thereof, upon every Gallon a farthing— } 00 00 00 1/4

For all Syder and Perry, made and sold by way of Retail, whether it bee by the first Maker or any Buyer or Receiver thereof from the first maker, upon every Hoghead, and so for a greater and lesser measure proportionably, two shillings six pence— } 00 02 06

For all Metheglin or Mead and such like Drinks sold out by Retail, to bee paid by the Retailer, upon every Gallon, and so pro rata, one penny— } 00 00 01

For all Search, upon every twenty shillings value thereof, to bee paid by the first maker, one shilling— } 00 01 00

For

For all sorts of glasse or glasses, upon every twenty shillings value thereof, to bee paid by the maker, one shilling, } 1 s. d.  
00 01 00

### *Rates of Excize of forreign goods imported.*

For every pound of Tobacco, which is not of the English plantation, aswel alreadie imported and remaining in the hands of the Merchant or Importer, as to bee imported, to bee paid by the first buyer, one shilling— } 00 01 00

For every pound of Tobacco of the English plantation, aswel imported and remaining in the hands of the Importer as to bee imported, to bee paid by the first Buyer, three pence— } 00 00 03

For every Tun of Wine alreadie imported or to bee imported, to bee paid by the first Buyer, whether Retailer or private Consumptioner, six pounds— } 06 00 00

For every Tun of Wine-Vinegar, imported or to bee imported, to bee paid by the first Buyer, forty shillings— } 02 00 00

For all Spirits imported, or to bee imported, made either of French, Rhenish or any other Wines, upon every Gallon, to bee paid by the first Buyer, four pence— } 00 00 04

For all Spirits forrein, or domestick, sold instead of Aquavitz or strong Waters, upon every Gallon, to bee paid by the Utterer and Seller thereof, one shilling— } 00 01 00

For all strong Waters perfectly made, imported, or to bee imported, upon every Gallon, to bee paid by the first buyer, one shilling— } 00 01 00

For all Beer or Ale imported by Sea, or brought in by Land into England, Wales, or Town of Berwick, for every Barrel to bee paid by the Importer, five shillings— } 00 05 00

For all Pepper, Sugars, Sugars refined, white & brown Muscavadoes, Candy white and brown, and all other Grocery and Menecery wares, wrought Silks, Silks in gumme and readie thrown, Linnens fine and court, Upholstery, Haberdashery, Paper, Skins, and Leather, upon every twenty shillings value, to bee paid by the first buyer, one shilling— } 00 01 00

For all manner of Drugs, according as they are distinguished by the Book of Rates for the Customs, upon every twenty shillings value, to bee paid by the first buyer, two shillings. } 00 02 00

For all forein Sope imported or to bee imported, soft or hard, for every hundred weight thereof, containing one hundred and twelv pounds, to bee paid by the first buyer, five shillings— } 1. 2. d.  
00 05 00

For all Saltery Wares not particularly rated in this Schedule imported or to bee imported, upon every twenty shillings value thereof, as they or any of them shall bee sold at a price, to bee paid by the first buyer thereof, one shilling— } 00 01 00

For all Hopps forein, the hundred weight, containing one hundred and twelv pounds, to bee paid by the first buyer, over and above Customs, five shillings— } 00 05 00

For all Hemp, Flax, Towe, Tarre, Rozen, Pitch, Wax, Tallow, Cable, Cable-yarn, and all maner of Cordage, upon every twenty shillings value, to bee paid by the first buyer, six pence— } 00 00 06

For all sort of Glasse or Glasses, and all maner of Earthen-ware whatsoever, upon every twenty shillings value, to bee paid by the first buyer, two shillings— } 00 02 00

For all manner of Woollen Cloth, or Stuffs, or other Woollen Manufactures imported, for every Yard measure over and above the rates mentioned of Customs, to bee paid by the Importer, one shilling— } 00 01 00

For all raw Silk imported or to bee imported, for every twenty shillings value thereof, and so proportionably for a greater or lesser value, to bee paid by the first buyer, six pence— } 00 00 06

For all forreign Salt imported, which hath not paid Excise, or to bee imported, upon every Gallon, to bee paid by the first buyer, three half pence— } 00 00 01 1/2

For all bone-lace imported, for every twenty shillings in value, to bee paid by the first buyer, three shillings— } 00 03 00

For all died Silks imported, for every twenty shillings in value, to bee paid by the first buyer, five shillings— } 00 05 00

For all Silk Lace imported, for every twenty shillings in value, to bee paid by the first buyer, three shillings— } 00 03 00

For all other Goods and Merchandizes (except Bullion, Corn, Vintual, Arms, Ammunition, Ordnance of Brass or Iron imported, or to bee imported) not specified or herein rated, to pay after the rate of five pound per cent. according as the same are charged by the Book of Rates for the Customs, to bee paid by the first buyer, one shilling— } 00 01 00

For



For all other Goods and Merchandizes imported, or to be imported, upon which no values are set, either in the said Book of Rates for Customs, or in these present Rates for Excize, upon every twenty shillings value thereof, as they or any of them shall be sold at a price to be paid by the first buyer, one shilling

That for all Inland or Foreign Commodities in this Ordinance mentioned, whether rated by the pound weight, hundred weight, fodder, pound value, gallon, barrel, tun, or other greater or lesser measure or weight whatsoever, the Excize shall be only paid for a greater or lesser quantity pro rata, according to the rates therein appointed and prescribed respectively.

And as to the Contents of a Tun of all liquid commodities imported, It is hereby declared, That two Buts, two Pipes, four Hogheads, of what sort soever, six Tertes, three Punditions, or Tertions, and eight quarter Casks shall be accounted or reckoned for a Tun and no other. And every Cask of any liquid commodities imported, which, if full, shall exceed a quarter Cask shall be accounted for a Terte, and every Cask that shall exceed a Terte shall be accounted for a Hoghead, and every Cask that shall exceed a Hoghead shall be accounted a Pundition, and every Cask that shall exceed a Pundition, shall be accounted a But or Pipe, without any pretence of undergage whatsoever. Provided likewise that in case of any real sale of any of the aforesaid commodities before the 25 of this instant March, whereof due entry and certificate is or shall be made accordingly, the Excize shall be accepted and received after the rates of any Schedule of Excize at that time in force, so as the same shall be all cleared, discharged and fully paid before the 25 day of April after the date of this present Ordinance, or otherwise the rates hereby set and imposed to be taken and received unto the advantage of the Commonwealth. Provided also that whatever commodities are omitted, abated or discharged by this Ordinance, all persons whatsoever shall be liable to pay the Excize thereof, and thereupon accruing until the 25 of this present March, any thing in this Ordinance notwithstanding.

And it is further Ordained, That all and every the Acts, Ordinances, and Orders of Parliament touching the Excize, and every Clause, Sentence and Article in them or any of them contained, which were in force the first day of March, One thousand six hundred fifty and three, as well for the collecting, gathering and receiving, as concerning the Government and ordering the Excize, be likewise continued and put in execution for receiving and recovering the several rates in this Ordinance mentioned, notwithstanding any alteration therein made as to the Persons, Buyers, Sellers, Growers, Planters, or others in any wise charged with the payment thereof. And it is likewise Ordained, That from and after the said five and twentieth day of March instant, Thomas Allen Alderman of the City of London, Thomas Wood, Richard Bury, George Langham, Esqs; and George Foxcroft, Merchant, and none others, are and shall be, and are hereby declared, constituted and appointed

appointed, Commissioners and Governours of the Excise and New Impost, who, or any three or more of them, are hereby impowred and authorized to exercise and put in execution all and every the powers and authorities given or granted by, or contained in all or any the said Acts, Ordinances or Orders of Parliament touching the Excise and New Impost, as well for the collecting and receiving the several rates in this present Ordinance imposed and set, as the arrears upon any former Schedule or rates due. And concerning the Government and ordering of the Excise and New Impost, as fully and amply as any Commissioners for Excise at the first of March aforesaid, might or ought to have done, and shall observe such Orders and Directions as they shall from time to time receive from His Highness the Lord Protector and his Counsel touching the same. And the said Commissioners, for their care, pains, and service therein, shall have and pay themselves quarterly, in every twenty shillings raised and levied free and clear from all abatements and allowances for exportations or otherwise, two pence, and shall be liable according to the same rate for all such exportations or otherwise, for one year after they shall be dismissed from this trust, and no longer.

And it is further Ordained by the Lord Protector, with the consent of his Counsel, That Sir William Roberts Knight, John Stone, Henry Elling, Jervas Bennet, Adam Bains and John Bocket, Esqs; or any three of them, be and shall be hereby authorized to receive all Appeals, and to hear, decide and determine the same; and to consider and examine by Oath or otherwise, what arrears of Excise are not yet paid, and that hereafter may accrue, either remaining in the hands of any Farmer, Commissioner, Sub-commissioner, Collector, Importer, Seller, Buyer, Planter, Grower or Baker, or of any Commodities excisable whatsoever, or in the hands of any person whatsoever, or for which any person or persons stand engaged with any Farmer or Sub-commissioner, or for which any person whatsoever by bond, bill, entry, promise or other engagement, hath been, may or shall become obliged, and to send for all persons, accounts, articles, receipts, bonds, or any writings concerning the Excise, or in any wise relating thereunto; and to hear all parties, and to determine all differences concerning the premises. And if any Sub-Commissioner, Collector, Farmer, or any their Deputies, or any Sureties for them or any of them, or any Importer, Buyer or Seller, Carrier or Conveyer of any the excisable commodities, or any person engaged for them or any of them, shall refuse or delay to pay into the Treasury of the Excise, any arrears, fines, forfeitures, or other Summes of Money, which by the said last recited Commissioners, or any three of them, shall be adjudged due to the Commonwealth, and ordered to be paid, upon such default certified under the hand of the Treasurer, and from the last recited Commissioners, or any three of them, unto the Commissioners for managing the Estates under Sequestration, the said Commissioners for managing Estates under Sequestration shall, and are hereby authorized and required to sequester the Estate of all such persons, both personal and real, till such arrears, fines, forfeitures, and

Summs

Sums of money bee fully paid with damages; And in case the  
 same shall not bee received and paid within six moneths next after  
 such Sequestration, then all and every such Estate so sequestred;  
 may and shall bee sold by such persons as the said Commissioners  
 for managing Estates under Sequestration shall appoint; rendering  
 the overplus to the person so offending; and if any Collector,  
 Receiver, or any other Officer or person at any time relating to the  
 Excise, shall pretend any thing due to him from the Common-  
 wealth, or from any Commissioner of the Excise, and upon that or  
 any other pretence shall detain any money in his hands, or arrears  
 unpaid into the Treasury, the aforementioned Commissioners for  
 Appeal, or any three of them, are hereby impowred to hear and  
 determine the same, and to make such order and allowance, in all  
 such cases, as shall bee just; and the said Commissioners, or any  
 three of them, are authorized to hear and determine all Suits,  
 Bills, Complaints or Differences, and to relieve any persons, by  
 deliberating Bonds, releasing Extents, or otherwise in all cases con-  
 cerning Excise, as the Barons of the Exchequer, or any the Com-  
 mittees of the late Parliament for regulating the Excise, or for  
 inspecting the Treasuries, and regulating Officers and Salaries,  
 or any other, might have don, any Custom, Wage, Statute, Act,  
 or Ordinance to the contrary notwithstanding. And the said last-  
 recited Commissioners, or any three of them, shall have like Au-  
 thority to retrench the Number and Salaries of all Officers and  
 Offices relating to the Excise, and to give out Directions to the  
 Commissioners for the Excise for the time being, to farm out the  
 Excise of such Counties, Places, or Commodities, in England,  
 Wales, and Town of Berwick upon Tweed, as to them, or any three  
 of them, shall appear to bee most advantageous for the Common-  
 wealth, and ease of the people, so as the same bee not at a less rate  
 than the Excise of such County, Place, or Commodity was farmed  
 at the last year before, unless it shall bee made apparent unto the  
 said Commissioners, or any three of them, that the said Counties,  
 Places, or Commodities were before over-rated or lessened by this  
 Ordinance, in which case they are to determine and agree as shall  
 bee to the best advantage of the Commonwealth; And the said  
 last-recited Commissioners, or any three of them, are impowred  
 to establish and settle all Salaries and Wages of all Officers rela-  
 ting to the Excise, payable by the Commonwealth from time to  
 time as they shall think fit, and to allow of all necessary charges  
 and rewards as shall bee given and expended by the Commissioners  
 of Excise for the carrying on of that service, and shall have power  
 to send for all parties, witnesses, writings and records belonging to  
 any case brought before them, and to examine upon oath, and to  
 fine, or commit to prison all such persons as shall appear to them to  
 hinder and oppose the execution of the several Acts, Ordinances,  
 and Orders of Parliament, or of the Lord Protector and His  
 Counsel, for the Excise, or the Pinifiers and Officers employed  
 in the said Service, or oppose, resist, or refuse any lawful distress  
 by locking up the Doors or otherwise, and by like Fine and Imprisonment

to punish all frauds, concealments, fals or short Entries, and counterfeiting of hand-writings, entries, or alterations, or amendments thereof; In all and every of which cases if any person do not pay the fine imposed on him within the time limited, hee shall and may bee proceeded against by Sequestration, in manner and forme as befores is herein declared and ordained.

And the said last recited Commissioners, or any three of them, shall from time to time debate, consult, and devise of all waies and means for improvment of the Excise, for the best advantage of the Commonwealth, in pursuance of the several Acts, Ordinances and Orders relating therunto, and to offer their opinion unto the Lord Protector and his Counsel, for removing obstructions, and improvment of the Excise, as they shall think fit and necessary; And from time to time to determine all such differences which may happen and arise between the said Commissioners of Excise and the Comptroller. And the said Commissioners, or any three of them, are impowred to releas such person or persons from prison, who shall bee committed by the Commissioners for the Excise, or their Sub-Commissioners or Farmers.

And the Commissioners of Excise, and their Sub-commissioners for the time being, are hereby authorized to appoint Officers or others to seize all excisable Commodities upon the water, or near the shore thereof, which shall bee conveyed by day or night, and attempted to bee landed, or which shall bee landed or conveyed altho contrary to the Lawes of the Excise contained in the eleventh, twelfth, thirteenth, fourteenth, seventeenth and eighteenth Articles of the Act of Parliament for Excise, published in print by Order of Parliament of the fourteenth day of August, One thousand six hundred forty nine, as also to appoint like Officers for Gagers over all Soap-boylers, and makers of any Oyle, as are at present accustomed with the Bzetters, whose returns shall bee a Charge on the said Soap-boylers and makers of Oyle; And the said Soap-boylers and makers of Oyle shall permit such Officers entrance, both day and night, into all rooms and places whatsoever as they shall demand, upon pain of like forfeiture of fifty pounds for every refusal, as in like cases to the Bzetters is appointed and ordained.

And the said Commissioners of Excise, and their Sub-commissioners, shall not hereafter make repayment of any Excise for any Goods at any time imported which have been once sold unto, or in the possession of a Retailer of the same Commodity, or for any such Goods, where the property, forme or nature of the Commodity once imported and excised, is in any wise altered, mingled, amended, or confounded; or for any Wines, Wine-Vineger or Liqueours whatsoever.

And lastly, the Commissioners for Appeals herein named, or any three of them, shall bee, and are hereby authorized, in all cases relating to the Excise, to reliefe and indemnifie aswell the present Commissioners of the Excise, as also all former and future Commissioners of the Excise, and all Sub-commissioners, Farmers, and all other Officers and persons whatsoever, employed in, or  
called



called to assistance for the due execution of any Warrant or Commission in pursuance of this present Ordinance; And the said Commissioners, or any three of them, shall from time to time have power to put in execution all former Acts, or Ordinances for Indemnity, so far as they may concern the Greife, in as full and ample manner as any former Commissioners for Indemnity might, ought, or could have don. And all Courts of Justice of this Commonwealth, and all Judges and Justices of the same, and all Sheriffs, Counsellors, Attorneys, Solicitors, and all other persons, are hereby required to conform themselves accordingly, without any opposition or dispute whatsoever.

This Ordinance to commence from the five and twentieth day of March. One thousand six hundred fifty four, and to continue to the five and twentieth day of March which shall bee in the year of our Lord, One thousand six hundred fifty five.

Friday, March 17. 1653.

Ordered by His Highness, the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An Ordinance for Continuation of an Act of Parliament, intituled, *An Act for the Continuation of the Customs until the 20<sup>th</sup> day of March, in the year 1653.*

**B**E it Ordained by His Highness the Lord Protector, with the advice and consent of his Counsel, That one Act of Parliament, intituled, *An Act for Continuation of the Customs until the 26 of March, in the year 1653.* And all Powers and Clauses therein contained, bee, and are hereby continued, and shall and do stand in full force, until the six and twentieth day of March, in the year of our Lord, One thousand six hundred fifty eight. And bee it further Ordained, That the Commissioners of the Customs shall not hereafter make repayment of the half Subsidie for any Goods at any time exported, which have been, or hereafter shall bee sold unto, or in the possession of any Shop-keeper or Retailer of the same Commodity, or for any such Goods where the property, form or nature of the Commodity once imported, is in any wise altered, mingled, amended or confounded. And bee it hereby further Ordained, That the Commissioners of the Customs for the time being shall have and receive upon every twenty shillings coming clear unto the Commonwealth upon their account such salary of Poundage as is or shall bee agreed upon by the Committee for regulating the Customs, or any other thereunto authorized by his Highness and his Counsel.

Monday, March 20. 1653.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.

## An Ordinance appointing Commissioners for Approbation of Publick Preachers.

**W**HEREAS for some time past hitherto there hath not been any certain court established for the supplying vacant places with able and fit persons to preach the Gospel, by reason whereof not onely the Rights and Titles of Patrons are prejudiced, but many weak, scandalous, popish, and ill-affected persons have intruded themselves, or been brought in, to the great grief and trouble of the good people of this Nation; For remedie and prevention thereof, Be it Ordained by His Highness the Lord Protector, by and with the consent of his Counsel, That every person, who shall from and after the five and twentieth day of March instant be presented, nominated, chosen, or appointed to any Benefice (formerly called Benefice with Care of Souls) or to preach any publick settled Lecture in England or Wales, shall, before he be admitted into any such Benefice, or Lecture, be judged and approved, by the persons hereafter named, to be a person for the Grace of God in him, his holy and unblamable Conversation, as also for his knowledge and utterance, able and fit to preach the Gospel; And that after the said five and twentieth day of March, no person, but such as shall upon such approbation be admitted by the said persons, shall take any publick Lecture; having a constant stipend legally annexed and belonging thereunto, or take or receive any such Benefice as aforesaid, or the profits thereof; And be it further Ordained, That Francis Rous, Esq; Dr. Thomas Goodwin, Dr. John Owen, Mr. Thankful Owen, Dr. Arrowsmith, Dr. Tuckney, Dr. Horton, Mr. Joseph Caryl, Mr. Philip Ny, Mr. William Carter, Mr. Sclerach Simpson, Mr. William Greenhill, Mr. William Strong, Mr. Thomas Manton, Mr. Samuel Slater, Mr. William Cooper, Mr. Stephen Marshall, Mr. John Tombes, Mr. Walter Cradock, Mr. Samuel Faircloth, Mr. Hugh Peters, Mr. Peter Sterry, Mr. Samuel Bamford, Mr. Thomas Valentine of Chisford, Mr. Henry Jessee, Mr. Obadiah Sedgewick, Mr. Nicolas Lockier, Mr. Daniel Dyke, Mr. James Ruffel, Mr. Nathaniel Campfield, Robert Titchborn Alderman of London, Mark Hildelky, Thomas Wood, John Sadler, William Goff, Thomas Sr. Nicholas, William Packery, and Edward Gresset, Esquires, shall be, and are hereby nominated, constituted and appointed Commissioners for such approbation and admission as is aforesaid, and upon death or removal of any of them, others shall from time to time be nominated in their places by the Lord Protector and his Successors, by advice of his Counsel, in the Interval of Parliaments, and sitting the Parliament, by the Protector and Parliament; And the said Commissioners, or any five or more of them, met together in some certain place in the City of London or Westminster, as His Highness shall appoint, are hereby authorized to judge and take knowledge of the ability and fitness of any Person so presented, nominated, chosen or appointed according to the qualification above mentioned,

tioned, and upon their approbation of such his ability and fitness, to grant unto such person admission to such Benefice or Lecture by an Instrument in writing under a Common Seal to be appointed by his Highness, and under the hand of the Register or Registers for the time being, to be also nominated by the Lord Protector and his Successors, which Instrument the said Register or Registers shall cause to be entered in a Book for that purpose; and kept upon Record.

And it is hereby declared, That the said person so admitted into any such Benefice, shall be Possessor and Incumbent of the same, and intitled thereby to the Profits, Perquisites, and all Rights and Dues incident and belonging thereunto, as fully and effectually as if hee had been instituted and inducted according to the Laws of this Realm; as also the person that shall be so admitted to any Lecture as aforesaid, shall be thereby enabled, according to the Establishment and Constitution of such Lecture, to preach therein, and to have and receive the Stipend or Profits to such Lecture belonging.

Provided alwaies, That no person who shall tender himself, or be tendered, for approbation as aforesaid, shall be concluded by any vote of the said Commissioners which shall pass in the Negative as to his approbation, unless ninty or more of the said Commissioners be present at such Vote.

And it is further Ordained, That all Patrons of any Benefices that are now void, shall within six Months next after the five and twentieth of this instant March, and of any Benefice that shall hereafter be void within six Months next after the avoidance of the same, present unto the said Commissioners, or any five of them, some fit person to be admitted, and for default of such Presentation within that time, the Presentation for that turn shall devolve by lapse unto the Lord Protector and his Successors.

Provided alwaies, That in case the Patron be disturbed to present unto such Benefice, and thereupon within six months after the avoidance of such Benefice a Suit be commenced for the Recovery of such Presentation, and notice thereof in writing left with the said Commissioners, or any five of them, or the Register, that then such notice shall be as effectual to prevent the lapse, as where the Suit was heretofore commenced against the Bishop or Ordinary.

And it is further Ordained, That during the vacancy of such place by reason of such Suit, the said Commissioners, or any five or more of them, have hereby authority to sequester the fruits and profits thereof for supplying of the place with an able Preacher, by the said Commissioners, or any five or more of them, to be nominated and approved of as aforesaid.

And so much as many persons since the first day of April last past have been placed in such Benefices, and publick Lectures, It is hereby Ordained, That in case such person shall not before the four and twentieth day of June next, obtain approbation and admittance in the manner before expressed, Then such person or persons as shall right thereunto shall or may present or nominate some other fit and able person to such place.

And



And in default of such Presentation within two Moneths after the said four and twentieth day of June, or within six Moneths after the place became void, the Presentation so: that turn shall likewise devolve by laps unto the Lord Protector and his Successors.

And so: the better satisfaction of the said Commissioners touching the godly and unblamable conversation of such persons as are to bee admitted into any place as aforesaid, It is further Declared and Ordained, That before any Admittance of any person as aforesaid, there shall bee brought to the said Commissioners, or any five of them, a Testimonial or Certificate in Writing, subscribed with the hands of three persons of known godliness and integrity, whereof one at least to bee a Preacher of the Gospel in some constant settled place; Testifying upon their personal knowledge the holy and good conversation of the person so to bee admitted: Which said Certificate shall bee duly Registered and Filed. And it is also Declared, That all penalties so: in respect of the not subscribing or reading the Articles mentioned in the Act of the thirtieth year of Queen Elizabeth, Intituled, Reformation of Disorders in the Ministers of the Church: or so: not producing such Testimonial as in the said Act is required, shall from henceforth cease and bee void.

And whereas so: the better Maintenance of preaching Ministers, several Augmentations by Authority of Parliament have been heretofore granted, Bee it further Ordained, That all person or persons, who claim or shall hereafter claim the benefit of such Augmentation, shall before bee or they receive the same, obtain the Approbation of the said Commissioners or five of them, as a person qualified as is before mentioned. And in case of Approbation, such Approbation shall bee Entered by the Register, who under his hand shall also signify the same to such person or persons as are or shall bee authorized to pay such Augmentation, who are hereby required and authorized from time to time to pay the person or persons so approved, such Augmentation as hath been or shall bee granted unto him or the place where bee preacheth, taking his or their Acquittances so: the same. Provided, and it is hereby Declared, That this Ordinance or any thing therein contained, shall not bee construed to extend unto, or to revive any Dignities, Offices or Benefits Ecclesiastical, suppressed by Authority of Parliament; Nor to any Benefices Ecclesiastical that were not presentative before the Ordinance for suppression of Bishops; Nor to any Lectures preached or read in any of the Universities.

And it is hereby lastly Declared and Ordained, That the Approbation or Admittance aforesaid, in such manner as is before prescribed, is not intended nor shall bee construed to bee any Solemn or Sacred setting apart of a person to any particular Office in the Ministry: But onely by such Trial and Approbation to take care that places destitute may bee supplied with able and faithful Preachers throughout this Nation. And that such fit and approved



approved persons faithfully labouring in the Work of the Gospel, may be in a capacity to receive such publick stipend and maintenance, as is or shall be allotted to such places.

Monday, March 20. 1653.

Ordered by His Highness the Lord Protector and his Council, That this Ordinance be forthwith Printed and Published.

Henry Scobel, Clerk of the Council.

**An Ordinance for Continuation of an Act, Entituled,  
An Act for laying an Imposition upon Coles, towards the  
Building and Maintaining Ships for guarding the Seas.**

**B**EE it Ordained by His Highness the Lord Protector, with the advice and consent of his Council, That one Act of Parliament, intituled, An Act for laying an Imposition upon Coles towards the building and maintaining Ships for guarding the Seas; And all Powers and Clauses therein contained, be, and are hereby continued; and shall and do stand in full force, until the 24 Day of March, 1653.

Monday, March 20. 1653.

Ordered by his Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobel, Clerk of the Council.

**An Ordinance for passing Custodies of Idiots and Lunaticks.**

**W**HEREAS by an Act of the late Parliament on the behalf of Idiots and Lunaticks, it was, among other things, Enacted, That the Bills for passing of the Custodies of the said Idiots and Lunaticks, should be signed by the Council of State before the Commissioners of the Great Seal of England should pass the same under the said Seal: And whereas that Council is now dissolved, Bee it Ordained by his Highness the Lord Protector, by and with the advice and consent of his Council, That the Chancelor, Keeper, or Commissioners of the Great Seal for the time being, do not pass the said Custodies under the Great Seal, before the same be signed by his Highness the Lord Protector, and that the same so signed by his Highness, shall be a sufficient warrant for passing the same under the said Great Seal, Any Law, Statute, Act, Ordinance, or Custom to the contrary thereof in any wise notwithstanding.

Monday, March 20. 1653.

Ordered by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobel, Clerk of the Council.

An

An Ordinance Declaring that the Proceedings in Case of Murther in *Ireland*, shall bee as formerly.

**W**Hereas by the *Laws* of *Ireland*, the proceedings in case of *Murther*, and against *Murtherers*, hath been used to bee as in case of *Treason* and against *Traytors*; whereupon a doubt hath arisen, whether by the *Ordinance*, Entituled, An Ordinance, declaring that the Offences therein mentioned, and none other, shall bee adjudged high *Treason*, within the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereunto belonging, the same bee not taken away and repealed; For clearing whereof, bee it Declared, *Ordained*, and *Established* by His Highness the Lord Protector, by and with the advice and consent of his Counsel, That the offence, proceedings, and punishment in case of *Murther*, and of *Murtherers* in *Ireland*, and all Commanders, *Alders*, or *Alders*, in or unto any such Fact, or person, shall remain, continue and bee the same to all intents and purposes, as the same was or were before the making of the said *Ordinance*, and as if the said *Ordinance* had not been made, any thing therein contained, or any *Law*, or *Statute* to the contrary thereof in any wise notwithstanding.

Monday, March 20. 1653.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An Ordinance for continuing an Act for Impresting of Sea-men.

**B**ee it *Ordained* by His Highness the Lord Protector, by and with the advice and consent of his Counsel, That one Act of Parliament, intituled, An Act for Impresting of Sea-men; And all Powers and Clauses therein contained, bee, and are hereby rebidde, and shall continue, and stand in full force, until the first day of November, in the year, One thousand six hundred fifty and four.

Thursday, March 22. 1653.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance bee forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An

An Ordinance for setting and confirming of the Manors of *Framlingham*, and *Saxtead*, in the County of *Suffolk*, and the Lands, Tenements and Hereditaments thereunto belonging, devised, by Sir *Robert Hitcham* Knight and late Serjant at Law, to certain charitable Uses.

**W**HEREAS the said Sir Robert Hitcham did heretofore purchase of Theophilus late Earl of Suffolk and his Feoffees, the Castle and Manors of Framlingham and Saxtead, and divers Lands, Tenements and Hereditaments with the Appurtenances, lying and being in Framlingham and Saxtead in the County of Suffolk, which were by his direction conveyed and assured unto Richard Keeble, one of the Lords Commissioners for the Great Seal of England, and to Francis Bacon, Esquire, and James Rivet, William Buts, and Robert Buts, Gentlemen, and their heirs, who were persons onely trusted by Sir Robert Hitcham. And whereas afterwards, viz. the eighth of August 1636. the said Sir Robert Hitcham made his last Will and Testament in Writing, And thereby did, amongst other things, Will, Limit and Appoint, That as touching the said Castle and Manors of Framlingham and Saxtead, and all the Lands and Hereditaments which he and his Feoffees purchased of the said Theophilus Earl of Suffolk and his Feoffees, the said Sir Robert Hitcham's Feoffees and their Heirs, after his Debts paid, should stand seized in trust to the uses of the Masters and Fellows of Pembroke Hall in Cambridge, and their Successors, and that upon request his Feoffees should make a good assurance unto them accordingly, Of which the College should have to their own use the Castle and Royalties, and Rents of Tenure, with the Pear and Fish ponds, the Abbodison of the Church, the hundred of Loes, the Fairs and Markets there, But the Demesne Lands of the said Manors, and all the Hereditaments and Lands purchased of the Earl of Suffolk as aforesaid, the said College should have onely in trust, to be by them converted to the uses following, viz. That they should pull down all the Castle save the stone buildings, and therewith erect at Framlingham one house to set the Poor on work, the Poor and most needy and Impotent of Framlingham, Debenham, and

and Coxall, first, and after them of other Towns if they see cause, and to provide a substantial Stock to let them on work, and to allow such needy persons of them so much as the College should further think fit, and that they should build one or two Alms-houses consisting of twelve Persons (namely six a piece) for twelve of the poorest and decrepid people there, which are to have each of them two shillings per week during their lives, and fifty shillings a piece for a Cotow and firing every year; And that they should build a School-house there at Framlingham, and appoint a Master, who is to have forty pounds per annum during his life, to teach thirty or forty, or more, of the poorest children of Framlingham, Debenham, and Coxall, to Write, Read, and cast Account, as the College shall think fit, and then they to have ten pounds a piece to binde them Apprentices, at the Discretion of the four Senior Fellows of the said College, And that they should build an Alms-house at Levington for six of the poorest persons of Levington and Nacton, which is to be built upon his Tenement near the Street there, and they to have the like allowance in all things as the poor of Framlingham are appointed to have; And that there should be for ever one to read Prayers in the Church of Framlingham daily at the hours of eight in the forenoon, and four in the After-noon, who is to have twenty pounds per annum, and the Sexton five pounds yearly; And such of the Poor aforesaid, or the Scholmaster, or Scholars there as should make default in coming to Prayers, their allowances to be proportionably abated for the same neglect (except their excuse be allowed by the Spinister of Framlingham for the time being) and whatsoever should further come of that which the Testator had formerly given in Trust to the said College, they to convert the same to the like use or uses, to continue as before for ever; And of his said Will made Richard Keeble and Robert Buts his Executors; And whereas as the said Sir Robert Hitchens within ten days after the making of the said Will dyed, And the said Richard Keeble and Robert Buts made probate of the said Will, And the said Robert Buts took upon him the whole management of the Receipts and Payments of the said Estate; And whereas several Suits have been by the College and Inhabitants of Framlingham, Debenham, and Coxall, commenced in the Court of Chancery against the said Robert Buts, and others, to have the said Trusts performed, And whereas by the first Wards of the said Will the whole Charitable use aforesaid is to be acted and put in execution at Framlingham, and the Town of Debenham being five miles, and the Town of Coxall thirty miles distant from Framlingham, who, by the said Will, are to send their Poor thither to work, and their poor Children thither to School, from whence will arise great inconveniences to all the inhabitants of the said Towns, interested in the said Charitable bequests, both in respect of great charge and trouble the two Towns of Debenham and Coxall must of necessity be put to in sending their poor and children to Framlingham, and maintaining them there, the Will

not pro-



biding for the poor's habitations, nor making any other provisions for their livelihoods there, and in respect of many inconveniences and annoyances, which must needs happen to the Town of Framlingham, if so many poor people from several parts shall congregate and reside there; And in respect of continual differences, which in all likelihood will arise betwixt the Towns touching their poor, in such sort confused and mingled together, besides the jars and contentions amongst the poor themselves (incident to such sort of people) working together under the same roof, whereby the Town of Framlingham will be much disquieted, the work hindered, and more materials in danger to be spoiled and imbezilled than work done, But if the College may be enabled to give unto the Towns of Coxall and Debenham a proportion of the revenue intended them by the Will in sever alty, these inconveniences will be avoided, and the whole Charitable bequests rendered much more useful and beneficial to all the three Towns, In regard that the several Towns may be enabled to set their own poor on work, according to their several abilities and capacities, and may hold their unwilling poor to work, and look to them that they do not spoil and imbezil the materials committed to their Charge, And may also out of the Revenue allotted to them lay in provision of Corn, Victuals, Firing, and other necessities for the poor's subsistence, at the best hand, and in the poorest sicknesses and grievances, they may see to them that they may be accommodated with all necessities in such extremities, And the Town of Framlingham shall be thereby freed from being burthened with any but their own poor; For all which Causes it was humbly prayed by the Petition of the inhabitants of Framlingham, Debenham, and Coxall, That his Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, &c. would be pleased to take some speedy course for the executing of the said Trusts, and settling the estate in such a way, that the charitable uses, by the said Will directed, may be performed and executed to the best advantage of the Parties, and in such manner as may be most beneficial to the College and persons who are to partake of the Charitable bequests aforesaid. Bee it therefore Ordained by His Highness the Lord Protector, by and with the advice and consent of his Counsel, And it is hereby Ordained by the Authority of the same, That the said Manors of Framlingham and Saxtead, and the said other Lands, Tenements and Premises, with the Appurtenances, in the said County of Suffolk, shall bee, and are hereby vested, settled, assured and confirmed unto and in the said Master and Fellows, and Scholars of Pembroke Hall in the University of Cambridge, and their Successors for ever, To the intent and purpose that the said Castle, Royalties, Manors, Lands, Tenements and Hereditaments, and the Rents, Issues, and Profits thereof shall and may bee employed and disposed to the several persons, and to and for the several uses hereafter mentioned (that is to say) The said Master and Fellows of Pembroke Hall aforesaid shall have, receive, and take the Rents, Issues, and Profits of the said Royalties, Rents of Leure, and other things which were devised to the

said College for their own use, as well all the Arrears, as also the  
 growing Kents and Profits thereof, and shall lay out and employ  
 the same for the good of the said College, as the Gift of Sir Robert  
 Hitcham, and to be known by the name of the said Sir Robert Hit-  
 cham's Gift for ever. And be it also further Ordained by the Autho-  
 rity aforesaid, That all and singular the demesne Lands of the said  
 Parson and Premises, shall be, and are hereby vested, assured,  
 and settled unto and upon the Master and Fellows, and Scholars of  
 Pembroke Hall, aforesaid, and their Successors for ever, upon Trust,  
 and to the intent and purpose that the Kents, Issues, and Profits  
 which shall be raised by and out of the said demesne Lands and Pre-  
 mises, shall and may from time to time for ever, be by the said Ma-  
 ster and Fellows and their Successors employed and disposed of for  
 the erecting and building of one or two Alms-houses at Framlingham,  
 for the relief of twelve persons of the poor and most needy inhabi-  
 tants there, who are to have two shillings a piece by the week, and  
 forty shillings a piece for a Cowen and firing, yearly during their  
 Lives, the said two shillings to be paid weekly, and the said forty  
 shillings a piece to be paid out of the said Kents and Profits at or  
 upon the twentieth day of December yearly, and so successively for  
 ever. And to this further intent and purpose, That another Alms-  
 house shall be built at Livingston for six of the poorest and most needy  
 inhabitants of Livingston and Nacton, to be built upon a tenement  
 late the said Sir Robert Hitchams near the street there, and the said  
 poor people are to have two shillings a piece by the week, and forty  
 shillings a piece for a Cowen, and firing to be paid yearly out of the  
 said Kents and Profits, on the twentieth day of December, to begin  
 first with the poor of Livingston, and so successively. And it is fur-  
 ther Ordained by the Authority aforesaid, That out of the Kents,  
 Issues, and Profits of the said Lands and Premises, settled upon  
 the Master and Fellows of Pembroke Hall and their Successors in  
 trust as aforesaid, the said Master and Fellows, and their Success-  
 ors, their Assign or Assigns shall pay and satisfy unto Francis Ire-  
 land, Thomas Alexander, Isaac Woodcock, Jasper Gooding, Brown  
 Pulham, Thomas Capon, and John Capon John Dowling the elder,  
 John Blomfield, Daniel Whayman, Matthew Skinner, and John El-  
 lis the elder, Trustees hereby appointed for the poor of the said  
 Town of Framlingham the yearly sum of 223 l. in good and lawful  
 English Money, to one or more of the said Trustees for the said  
 Town of Framlingham their Assign or Assigns, being authorized for  
 the receipt thereof, by one or more Deed or Deeds in writing un-  
 der the hands and seals of them, or the major part of them (of which  
 major part the said Francis Ireland, during his natural life, is to be  
 one) the said sum of 223 l. yearly and every year to be paid and sa-  
 tisfied unto the said Trustees, hereby appointed, and hereafter to  
 be appointed, their Assign or Assigns as aforesaid, at the Corn-  
 Cross in Framlingham, at or upon the first Tuesday in March, and at  
 or upon the first Tuesday in September, by even and equal portions  
 to be by the said Trustees hereby appointed, or the major part of  
 them as is aforesaid, laid out and employed for the building and ere-  
 cting of one work-house at the said Town of Framlingham for the  
 poor,

poor, most needy and impotent persons and inhabitants there, and to provide a substantial stock to set them on work, that is, the said Poor of the said Town of Framlingham onely on work, and to allowe such needy persons of them so much as the said Trustees, or the major number of them, as aforesaid, shall further think fit, and also for the building and erecting of a School-house there at the said Town of Framlingham, wherein twenty or thirty or more of the poorest children and inhabitants of, and in the said Town of Framlingham are to bee educated in Reading, Writing, casting of Accounts, or Grammar learning, according to their severall capacities, And the said Trustees herein named and appointed, or the greater number of them for the time being for the said Town of Framlingham, shall and may disburse and bestow all such sum and sums of Money, as to them the said Trustees, or the Major part of them, as is aforesaid, shall seem meet for the placing and binding such poor children, as they shall think fit, Apprentices, or to maintain such of the Grammar Scholars at the Universitie of Cambridge, as the said Trustees shall think fit, and the Master and Fellows of the said College shall admit and allow of. And also that the Master of the said School at Framlingham from time to time shall bee chosen and appointed by the Master and Fellows of the said College and their Successors, and the said Trustees for the said Town of Framlingham for the time being shall allow and pay unto the said School-master the sum of forty pounds yearly to bee paid and satisfied unto him at or upon the second Tuesday in March, and at or upon the second Tuesday in September, by even and equal portions. And if (the number of Scholars increasing) the said Trustees or the major part of them, as is aforesaid, shall think fit to have an Usher or under School-master unto the said School, that then the said Usher shall teach the children to Write, Read, and cast Accounts, and the head School-master shall teach Grammar-learning onely, And the said Usher for the time being shall have yearly paid unto him, by the said Trustees, the summe of twenty pounds to bee paid and satisfied unto him by even and equal portions on the aforesaid days, viz. the second Tuesday in March, and the second Tuesday in September. And the said School-master for the time being of the said Town of Framlingham shall daily and constantly pray with the said poor and Scholars there in the Parish Church of Framlingham, at or about seven of the Clock in the forenoon, and at or about five of the Clock in the afternoon, and such of the poor people there, as shall make default in coming to prayers upon the toling of a Bell for that purpose, their allowance to bee proportionably abated for the same neglect, except their excuse bee allowed by the Minister of Framlingham for the time being, And the said Trustees hereby appointed, or hereafter to bee appointed, shall allow the Sexton of the Parish Church of Framlingham the yearly sum of five pounds, to bee paid and satisfied unto him at or upon the second Tuesday in March, and at or upon the second Tuesday in September, by even and equal portions, And to the intent and purpose that the said yearly sum of two hundred and twenty three pounds may bee truly and faithfully paid, expended and employed to the parties of the said Town of Framlingham,



Framlingham, and to and for the several uses aforesaid, the said Trustees of Framlingham hereby named and appointed, and that shall be hereafter named and appointed, shall, from time to time stand and be accountable unto the Master and Fellows of the said College, and their Successors for ever, And shall from time to time make and deliver unto the said Master of the said College for the time being, at or upon the first Tuesday in July in every year, at or in the common Dining Hall of Pembroke Hall aforesaid, a true, punctual and perfect account in writing of all their Receipts and Disbursements concerning the said Charitable uses. In default whereof the said Trustees shall forfeit the sum of five pounds. And it is further Ordained by the Authority aforesaid, That the said Master and Fellows for the time being, and their Successors for ever, their Assign or Assigns shall out of the Rents, Issues and Profits of the said demesne Lands pay and satisfy the yearly sum of one hundred and fifty pounds in good and lawful English Money unto Robert Crane the elder, Thomas Guyon, William Tanner, John Sparhawk, Richard Shortland, William Cocks, John Cocks, Isaac Hubbard, William Gladwyn, William Guyon, Samuel Crane, and George Guyon, Trustees hereby appointed for the poor of the aforesaid Town of Coxall, or to any one or more of them, their Assign or Assigns, being authorized for the receiving thereof by one or more Deed or Deeds in writing under the hands and seals of them the said Trustees, or the major part of them (whereof the said Robert Crane the elder, shall be one during his life) the said sum of one hundred and fifty pounds yearly and every year, to be paid and satisfied unto the said Trustees hereby appointed their Assign or Assigns as aforesaid, at the Corn-Cross in Framlingham at or upon the first Tuesday in March, and at or upon the first Tuesday in September by equal portions, to be by the said Trustees hereby appointed, or the major number of them as aforesaid, laid out and employed for the providing of a work house at the Town of Coxall for the poor and most needy and impotent Persons and Inhabitants there, together with a substantial Stock to set the poor on work, and to allow such needy persons of them so much relief as the said Trustees hereby appointed, or the major part of them as aforesaid, shall further think fit; And also for the providing of a School-house there at the said Town of Coxall wherein twenty or thirty or more of the poorest Children and Inhabitants of and in the said Town of Coxall are to be educated in Reading, Writing, casting of Account or Grammar-learning, according to their several capacities; And the said Trustees hereby named and appointed, or the greater number of them as aforesaid for the time being, are to allow and employ such sums of Money as they, or the major part of them the said Trustees for the said Town of Coxall, shall think fit, for the placing and binding such poor children Apprentices, or to maintain such of the Grammar-schoolers at the University of Cambridge as the said Trustees shall think fit, and the said Master and Fellows shall admit and allow of; And also that the Master of the said School from time to time for ever, shall be chosen and appointed by the Master and Fellows of Pembroke Hall; and their Successors for ever, And the said Trustees hereby appointed,



or the greater number of them for the time being, are to pay and allow unto the said Master for his salary and pains twenty pounds by the year to be paid and satisfied unto him, at or upon the second Tuesday in March, and at or upon the second Tuesday in September, by even and equal portions, and to the end the said year sum of one hundred and fifty pounds, may be truly and faithfully paid, expended, and employed to the aforesaid parties, and to and for the uses aforesaid, the said Trustees herein named and appointed, and that shall hereafter be named and appointed, shall stand accountable to the said Master and Fellows of Pembroke Hall, and their Successors for ever. And shall from time to time make and deliver unto the Master of the said College, for the time being, at or upon the first Tuesday of July in every year, at or in the common Dining Hall aforesaid, a true, punctual and perfect account in writing of all their Receipts and Disbursements concerning the said Charitable uses. In default whereof the said Trustees shall forfeit the sum of five pounds.

And it is further Ordained by the Authority aforesaid, That the said Master and Fellows, for the time being, and their Successors, their Assign or Assigns shall out of the Rents, Issues and Profits of the said demesne Lands, in trust, pay, and satisfy the yearly sum of one hundred and five pounds of like Money unto Richard Moyle, Richard Sheppard, George Brame the elder, James Phillips, John Grater, John Smith, John Tovel, George Brame the younger, George Dool, William Brame, Robert Draper, and John Bond, Trustees, hereby appointed for the Poor of the aforesaid Town of Debenham, or to one or more of the said Trustees for the said Town of Debenham, their Assign or Assigns being authorized for the receipt thereof by one or more Deed or Deeds in writing under the Hands and Seals of the said Trustees, or the major part of them, hereby named and appointed, or hereafter to be named and appointed, or the major part of them (of which number the said Richard Sheppard, during his natural life, shall be one) the said sum of one hundred and five pounds yearly and every year to be paid and satisfied unto the said Trustees hereby appointed, or hereafter to be appointed, their Assign or Assigns as aforesaid, at the Corn-Cross in Framlingham, at or upon the first Tuesday in March, and at or upon the first Tuesday in September, by even and equal portions, to be by the said Trustees hereby appointed, or the major part of them, as is aforesaid, laid out and employed for the providing of a work-house at the said Town of Debenham, for the poor and most needy and impotent persons Inhabitants there, together with a substantial stock to set the said poor on work, and to allow such needy persons of them so much relief as the said Trustees, or the major number of them, as is aforesaid shall further think fit, and also for the providing of a School-house there at the said Town of Debenham, wherein twelke or twenty, or more of the poorest children of Debenham aforesaid are to be educated in Reading, Writing, and casting of Accounts or Grammar-learning, according to their several capacities. And the said Trustees hereby appointed as aforesaid, and that shall hereafter be chosen and appointed, as herein is afterwards directed for the time being

being, are to allow and employ such sums of Money as they, or the major part of the said Trustees as aforesaid for the Town of Debenham shall think fit, for the placing and binding such poor children Apprentices, or to maintain such of the Grammar-Scholars at the University as the said Trustees shall think fit, and the said Master and Fellows shall admit and allow of. And also that the said Master of the said School at Debenham, from time to time, shall be elected and appointed by the Master and Fellows, and their Successors; And that the said Trustees for the said Town of Debenham, for the time being shall forever hereafter allow unto the said Master, of the said School at Debenham, yearly for his pains the sum of twenty Marks to be paid and satisfied unto him, at and upon the second Tuesday in March, and at or upon the second Tuesday in September, by even and equal portions, And to the end the said yearly sum of one hundred and five pounds, may be truly and faithfully paid, expended, and employed to the said parties, and to and for the uses aforesaid, the said Trustees hereby appointed, and that shall be hereafter appointed, for the time being shall stand and be accountable to the said Master and Fellows of Pembroke Hall, and their Successors, and shall from time to time deliver unto the Master and Fellows of the said College for the time being, at or upon the first Tuesday of July in every year, at or in the common Dining Hall of Pembroke Hall aforesaid, a true, punctual, and perfect Account in writing of all their Receipts and Disbursements concerning the said charitable Uses, In default whereof the said Trustees shall forfeit the sum of five pounds. And it is further Ordained by the Authority aforesaid, That the said Trustees of the several and respective Towns aforesaid, hereby appointed, or that shall be hereafter appointed, for the time being, shall from time to time deliver a transcript or true Copy of the same Account, concerning the said charitable Uses unto the Justices of the Peace at the Quarter Sessions to be holden for the several Counties aforesaid, as the said respective Trustees are hereby appointed to deliver unto the Master and Fellows of the said College for the time being, And in case the said Trustees of the respective Towns aforesaid, or any of them, shall fail to deliver or cause to be delivered a Copy of the said Account unto the said Justices of the said respective Towns at the next quarter Sessions after they have delivered the said Original Accounts unto the Master and Fellows of the said College for the time being, that then, and in such case the Justices of the said several Counties are hereby empowered to call before them such of the Trustees of the said respective Towns as shall make such default as aforesaid, and to impose a fine upon such of the said Trustees as they shall see cause, not exceeding the sum of five pounds, which fine shall be paid out of their own particular Estates, and not out of any part of the Estate given to the charitable Uses aforesaid, the same to be levied upon the Estate of the defaulters in such or the like manner as is Ordained and Appointed to be imposed and levied upon the Overseers of the Poor, for any default they shall make in the execution of their Trusts, contrary to any Act of Parliament in that behalf made and provided. And it is further Ordained by

by the Authority aforesaid, That when eight or six of the before named Trustees, of any of the said several and respective Towns of Framlingham, Debenham, and Coxall, or any of them, shall depart this life, then the six or four surviving Trustees in their respective Towns, shall have Power, and are hereby authorized to nominate and present the names of twelve or sixteen of the most able and sufficient Inhabitants of the said respective Towns, out of which six or eight to be elected and joyned, with the rest of the surviving Trustees by the Master and Fellows of the said College, for the time being; And in case the said Master and Fellows, and such surviving Trustees, cannot agree in the said Election, then the Commissioner, or Lord Keeper of the Great Seal of England, for the time being, shall be attended to reconcile the said differences, and see or they to determine the same, or to elect any other of the most able Inhabitants in the respective Towns, to supply the number of the deceased Trustees.

And it is hereby further Ordained by the Authority aforesaid, That the said persons, that shall be elected new Trustees as aforesaid, shall have the like Power to take upon them the aforesaid Trusts, in the particulars aforesaid, and to execute the same as fully and effectually to all intents and purposes as if they had been named in this present Ordinance.

And it is also further Ordained by the Authority aforesaid, That whatsoever other Revenue or Profits shall be made of the said Estate, Lands and Tenements settled upon the said Master, and Fellows, and Scholars of the said College, in trust for the benefit of the said three Towns; as aforesaid, all necessary Charges and Disbursements in managing the same, being in the first place discharged and allowed the Master and Fellows of the said College, and their Successors, shall distribute the same surplusage or overplus to and for the use and benefit of the Poor of the said three Towns of Framlingham, Coxall, and Debenham respectively, according to the Rules, Rates, Allowances and Proportions, which have been already allotted to them respectively in and by this Ordinance as aforesaid. Provided also that if any Incumbrance or Casualty whatsoever shall befall the said Lands or Tenements, or any part thereof, settled upon the said College in trust as aforesaid, That then the said Master and Fellows of Pembroke Hall aforesaid, shall and may deduct and defalc out of the Rents, Issues and Profits of all the said Demesne Lands, and Estates so settled and assured upon the said College as aforesaid, for the benefit of the said three Towns aforesaid, All such Sum and Sums of Money, and other Charges whatsoever expended, accrued or sustained for or by reason of any such Incumbrance or Casualty, wherein full allowance shall be given as aforesaid.

And it is further Ordained by the Authority aforesaid, That if the said Richard Keeble, Francis Bacon, James Rivet, and Robert Burs, or any of them, their or any of their Heirs, Executors or Administrators shall be charged with the payment of any of the Debts and Legacies of the said Sir Robert Hicham, or any other,

with



to be dismissed by reason of the Trust reposed in them or any of them by the said Sir Robert Hitcham, other than such Orders and Decrees as are already had and obtained in any Court of Equity against them the said Trustees, or any of them, then the said Master and Fellows of Pembroke Hall for the time being, and their Successors, shall out of the Rents, Issues and Profits of the said Demesne Lands and Premises situated on them in Trust, satisfy and pay unto the said Richard Keeble, Francis Bacon, James River and Robert Butts, their Heirs, Executors, Administrators, and every of them, all such sum or sums of money as they or any of them shall be so charged with, for or by reason of the Debts and Legacies of the said Sir Robert Hitcham, or any otherwise diminished in respect of the said Trust reposed in them, by the said Sir Robert Hitcham; and for that purpose in case any such Charge or Incumbrance shall happen, all the Rents and Revenues of the said Premises in Trust are and shall be applied by the Master and Fellows of the said College for the time being, and their Successors, in the first place, towards the discharge thereof, until such Incumbrance, Charges, and Diminutions shall be satisfied and discharged, and in such case proportionable abatements shall be made out of all the Revenue, Rents and Profits of the Premises so settled for the benefit of the said three Towns as aforesaid. And it is further Ordained by the Authority aforesaid, That as for and concerning the Rents and Profits which have already issued out of the said Lands and Premises, hereby settled upon the said College in trust as aforesaid, And which ought by virtue of an Order out of the Court of Chancery, bearing date the fifteenth day of February, 1650. to be paid to Sidrach Simpson, the present Master of the said College, whether yet remaining in the hands of the said Sydrach Simpson, or of the Tenants of the said Premises, or of any other person or persons whatsoever, the same shall be employed, by them the said Master and Fellows of Pembroke Hall, for the payment and satisfaction unto Robert Crane, Francis Ireland, and Richard Sheppard, three of the Inhabitants of Framlingham, Coxall, and Debenham, All such sum and sums of money, which they have any ways disbursed or expended in several Suits in Law, at their own charge and expences, for promoting the Charitable uses aforesaid, And which have not been heretofore paid and satisfied unto them which are to be allotted by the Master and Fellows of the said College within six Months next ensuing; And also for the paying and satisfying unto them, and to every of them, some reasonable consideration for their time and pains spent, and taken therein, which the said Master and Fellows shall allow within the time aforesaid; As likewise for the payment and satisfaction unto the said Master and Fellows, or any person or persons employed by them, All such sum and sums of money which they, or any of them, already hath or hereafter shall expend touching the Premises within half a year next ensuing, and also for paying and satisfying of them or any of them, some reasonable Consideration and Remuneration for their Time and Pains herein spent and taken, in such Proportion as the said Trustees herein named, for the

said



said severall Towns, or any seven of them, shall appoint (whereof the said Robert Crane, Francis Ireland, and Richard Sheppard, shall bee three) and after the payments made as aforesaid, and after the said two Alms-houses heretofore specified in this Ordinance, the one at Framlingham, and the other at Levington, shall bee built, And that then if there shall remain any sum or sums of money of the Rents and Profits of the said Premises, in the hands of the said Master and Fellows, or in the hands of the said Tenants, or any other person, which are due, and ought to bee paid unto the said Master, by virtue of the said Order of the fiftieth of Febr. 1650, the same shall bee disposed, divided, and distributed to and amongst the three Towns of Framlingham, Coxall, and Debenham, or employed for the benefit of the said Charitable Uses of the said three Towns, as aforesaid, respectively, after the same or like manner, and according to the same or like allowances, distributions, rates and proportions, and for the same uses by and for which the Annual Revenue of the said Estate in trust (except what was allotted for the weekly and yearly maintenance of the said Alms-people of Framlingham, and Levington, aforesaid) hath heretofore in this Ordinance been directed and appointed to bee disposed, divided, and distributed. And it is further Ordained by the Authority aforesaid, That the said Richard Keeble, Francis Bacon, James Rivet, and Robert Butts, shall forthwith deliver or cause to bee delivered unto the Master of the College, all Deeds, Charters, Evidences, and Writings, touching or any waies concerning the said Castle, Manors, Hereditaments and Premises, or any part thereof, the same to bee kept and preserved with the rest of the College Evidences, and that the said Master, Fellows and Scholars, shall bee, and are hereby authorized and empowered to commence, implead, prosecute or defend in their own names, all and every Action or Actions, Suit or Suits in any Court of Law or Equity hereafter to bee brought, commenced, prosecuted or defended for or concerning the said Manors, Lands, and Premises, or any part or parcel thereof by or against any person or persons whatsoever, and for the recovery of all such sum and sums of money, payable for the Rents and Profits of any part of the said Manors and Premises, remaining in the hands of any of the Tenants of the said Manors and Premises, or any part thereof, or in the hands of any other person or persons whatsoever.

And it is lastly Ordained by the Authority aforesaid, That the Assurance, Conveyance and Settlement of the said Manors, Lands, and Tenements, with the Appurtenances, to, and upon the said Master and Fellows of Pendroke Hall, and their Successors, shall be good and available in Law, to the uses, intents and purposes aforesaid, as fully and absolutely as if a license to purchase the said Manors, Lands and Premises in Mortmain were had and purchased under the Great Seal of England, any Law or Statute to the contrary in such case made and provided notwithstanding; Saving alwaies and at all times hereafter reserved to all and every person and persons whatsoever, their Heirs,

Executors, and Assigns (other than the said Sir Robert Hitcham, Richard Keeble, Francis Bacon, William Buts, Robert Buts, and James River, their and every of their Heirs and Assigns) all and every such Estate, Right, Title, Interest, Claim and Demand whatsoever, which they, or any of them now have, or at any time hereafter may or might any way have, claim, challenge, and Demand of, in, to, or out of the Manors, Villages, Lands, Tenements, Hereditaments, and Premises, with the Appurtenances; or any part thereof, any thing in this present Ordinance contained to the contrary notwithstanding.

Monday, March 20: 1653.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Seabell Clerk of the Counsel.

### A Declaration of His Highness the Lord Protector, inviting the People of *England and Wales*, to a Day of Solemn Fasting and Humiliation.

**T**He common and notorious sins so boldly and impenitently practised amongst us, notwithstanding all our Deliverances and Mercies, together with the present Rod of an Exceeding and an Universal Drought, which hath layen upon us for some years, and still continue's and increaseth upon us, threatening Famine and Mortality, are no less than the Voice of God, calling aloud in our ears to Fasting, and Mourning, and great Abasement of Soul before him.

And although the General End and Intendment of inviting to a day of Fast, bee, that all of every Condition and Quality whatever, do try and examine their heart and way more especially, according to their own Light, and in the use of such Helps and Means as the Lord in His Providence shall afford to each one, before and upon the said day of Meeting; yet finding some thoughts set seriously upon our Heart, Wee judged it not amiss to recommend the same to Christian Consideration, not to impose them upon any, or to confine any within the compass thereof; but leaving every man free to the Grace of God, and to the work of his Spirit, who worketh all things in the Hearts of the Sons of Men, according to the Counsel and Good Pleasure of His own Will.

It cannot bee denied but that God hath vouchsafed to appear very much in working the Deliverance of the Nation from their bondage and thralldom, both Spiritual and Civil, and procuring for them a just Liberty by his own People.

Do wee now walk worthy of our high Calling in humbleness and lowliness of minde, holding forth the Virtues of Christ in time of Peace, which was our strength, by the efficacy of which all our great things were accomplished in time of War?

Have

Have wee a heart prepared as willingly to communicate the said Just Freedom and Liberty to one another, as we were industrious to get it?

Do wee thankfully acknowledge our mercy in the Liberty of Worshipping God in Holiness and Righteousness without fear, being delivered out of the hands of our Enemies?

Is Brotherly Love, and a Healing Spirit of that force and value amongst us that it ought?

Do we own one another more for the grace of God, and for the Spiritual Regeneration, and for the Image of Christ in each other, or for our agreement with each other in this or that form, or opinion?

Do wee first search for the Kingdom of Christ within us, before wee seek one without us? Or do wee listen to them that say concerning the coming of Christ, Lo here, and lo there?

Do wee not more contend for Saints having rule in the world, than over their own hearts?

Are there not too many amongst us that cry up the Spirit, with a neglect of Love, Joy, Peace, Meekness, Patience, Goodness, Temperance, Long-suffering, Forbearance, Brotherly kindness, Charity, which are the fruits of the Spirit?

How do wee carry our selves, not onely to the Churches of God, and the Saints, but towards them that are without?

Do not som of us affirm our selves to bee the onely true Ministry, and true Churches of Christ, and onely to have the Ordinances in purity, excluding our Brethren, though of equal gifts, and having as large a Seal of their Ministry; and desiring with as much fervor and zeal to enjoy the Ordinances in their utmost purity?

Do we remember old Puritan, or rather Primitive simplicity, Self-denial, Mercy to the Poor, Uprightness, and Justice? or are wee not herein put to shame by those wee easily call Anti-Christian or Carnal?

Hath one that wee judge to bee without equal justice with one wee will call a Brother?

Do we contend for the Faith once delivered unto the Saints, as the things of Faith ought to bee contended for, with Love, Patience, Tenderness, Zeal, by perswasion? Or rather imposingly, proudly, carnally, provokingly, sensually, thereby prejudicing the Truth, and whilst wee are calling aloud for the propagating of the Gospel, do wee not put stumbling-blocks in the way of the same, and too much endanger to make good the slander of the world in charging Profession with Faction?

For want of Circumspection and care herein, and a due regard to sincerity and uprightness, have noe many apostatized, running after Fancies and Notions, listning to filthy Dreams, worshipping of Angels, and been carried by their Impulsions; and instead of contending for the Faith, and holding the form of sound words, contended against Magistracy, against Ministry, against Scriptures, and against Ordinances, too much verifying the Prophecies of Peter and Jude, in these following words.

2 Pet. 2. 1. But there were fals Prophets also among the people, even as there shall bee fals Teachers among you, who privily shall bring in damnable heresies, even denying the Lord that bought them, and bring upon themselves swift destruction.

2. And



2. And many shall follow their pernicious ways, by reason of whom the way of truth shall be evil spoken of?

3. And through covetousness shall they with feigned words make merchandize of you; whose judgment now of a long time lingereth not, and their damnation stoneth not.

10. But chiefly them that walk after the flesh in the lust of uncleanness, and despise Government, presumptuous are they, self-willed, they are not afraid to speak evil of Dignities.

11. Whereas Angels which are greater in power and might, bring not railing accusations against them before the Lord.

12. But these as natural brute Beasts made to be taken and destroyed, speak evil of the things they understand not, and shall utterly perish in their own corruption.

13. And shall receive the reward of unrighteousness, as they that count it pleasure to riot in the day time: spots they are and blemishes, sporting themselves with their own deceivings while they feast with you.

15. Having eyes full of adultery, and that cannot cease from sin, beguiling unstable souls; an heart they have exercised with covetous practices, cursed children.

Jude ver. 4. For there are certain men crept in unawares, who were before of old ordained to this commendation, ungodly men, turning the grace of our God into lasciviousness, and denying the only Lord God, and our Lord Jesus Christ.

8. Likewise also these filthy Dreamers defile the flesh, despise Dominion, and speak evil of dignities.

10. But these speak evil of those things which they know not, but what they know naturally as brute beasts, in those things they corrupt themselves.

11. Wo unto them, for they have gone in the way of Cain, and ran greedily after the error of Balaam for reward, and perished in the gain-saying of Core.

12. These are spots in your feasts of Charity when they feast with you, feeding themselves without fear: clouds they are without water, carried about with winds; trees whose fruit withereth, without fruit, twice dead, plucked up by the roots.

13. Raging waves of the Sea, foaming out their own shame; wandering stars, to whom is reserved the blackness of darkness for ever.

16. These are Murmurers, complainers, walking after their own lusts, and their mouth speaketh great swelling words, having mens persons in admiration because of advantage.

19. These be they who separate themselves, sensual, having not the Spirit.

And notwithstanding all these evils, and worse, are upon, and in the midst of us, like gray hairs, here and there, and we know it not, our pride resisting to our face, Hos. 7. 9, 10. and we not return to the Lord our God, nor seek him for all this, but these things are contended for, and justified under the notion of Liberty, it being too commonly said that the Magistrate hath nothing to do either in repressing, or remedying these things; Wee do hereby appeal to the hearts and consciences of all fearing the Lord, whether there be not as great cause as ever to lay our mouths in the dust, and to abhor our selves before the Lord for these abominations, whereby the eyes of his jealousy are provoked, and to seek pardon and remedie from himself of these things.

Add wee to these, The resistance, hatred, and neglect of the Gospel by



by the generality of men, the contempt and despite don to the sincere professors of it, even for the image of Christ in them (although they have been instruments of many mercies, and of the obtaining a just freedom for the Nation) The wickednesses, oaths, drunkennesses, revelings, and all manner of licentiousness, for which things sake, the Scriptures have said, that the wrath of God shall undoubtedly overtake the children of disobedience.

And lastly, the impurity of these things, through the neglect of the Magistracy, throughout the Nation, and then judge whether there be not cause, that wee be called upon, and do call upon each other seriously, to lay all these things to heart, being greatly abased before the Lord for them.

Upon the serious consideration of these things, We judge it not only warrantable, but a duty, to call upon you, and our selves, to set apart time to humble our souls before the Lord, to try unto him for broken and penitent hearts, and that hee would turn away his wrath, and be reconciled to us; for the Lord hee is merciful, gracious, long-suffering, and abundans in goodness and truth, forgiving iniquity, transgression and sin, and will by no means clear the guilty, who are only such as go on in their hardened and impenitent hearts, refusing the grace offered by Jesus Christ.

It is therefore hereby declared, That Wee, and our Council, do purpose (by the grace of God) to set apart Friday next, being the 24 of this present March, for a day of Humiliation.

And it is hereby Ordered, That timely notice be given to the Cities of London and Westminster who (together with the out-Parishes) wee doubt not, will willingly keep the same day; And that like notice be given throughout England and Wales, to have their several Meetings upon the same day fortnight; And that Copies hereof be Printed and published, to be sent to the several parts of the Nation, to invite them unto the performance of this Duty.

Given at Whitehall this 20 of March, 1653.

### An Ordinance for relief of Persons that have acted in the Service of the Parliament.

**W**HEREAS many good and necessary Acts, Ordinances and Orders of Parliament have heretofore been made for the encouragement, Indemnity and saving harmless of such persons as have in any sort either by Sea or Land engaged, or acted, or commanded to be done, any matter or thing whatsoever by Authority or for the service or benefit of the Parliament; And Committees having been appointed to take care therein; And that Justice should be done accordingly, the Power of which Committees being determined, and so no court settled for parties grieved, His Highness, being a continued and worthy friend of such mens undertakings and hazards for the service of the Publick in times of eminent danger and extremity, And being willing that full remedy should be provided for their safety, Doth, by and with the Consent and advice of His Council, Doctors, Clergymen and Divines, That all and every the said Acts, Ordinances

and Orders of Parliament, and every Article, Clause and Sentence in them or any of them contained, shall stand, remain and be in full force, effect and virtue, and be put in practice and execution, and be pleasurable and made use of in all Courts of Justice, as fully and absolutely, to all intents and purposes, as if the same had bin now particularly made for such purpose.

And it is further Declared, Established and Ordained, That the words, clauses and sentences, in all and every the said Acts, Ordinances and Orders of Parliament, shall be adjudged, expounded, and taken in all Courts and proceedings of Justice, and elsewhere, most beneficial and available, to all and singular the persons that have so acted or don by Authority, or for the service or benefit of the Parliament; And it, upon any Trial or Proceedings in any Court of Justice, it shall appear unto the Judge, or Judges, before whom such Trial or Proceeding shall be had or made, That the party, that hath so acted by the Authority, or for the service or benefit of the Parliament, hath not had, or cannot have such full and just relief therein, as by the said Acts, Ordinances or Orders of Parliament was intended or provided, Then such Judge, or Judges shall, and are hereby required to make Certificate thereof to the Barons of the Exchequer, upon which Certificate, the said Barons, or any five of them, shall have Authority, and are hereby impowred, authorized, and required, upon such Certificate and complaint of the party grieved, to proceed, and do therein to all intents and purposes; And they have hereby given unto them the same and like Powers, Authorities, Jurisdiction, and Court of proceeding, in all Causes for relief of such party or parties grieved in the premises, as any Committee or Commissioners of or for Indemnity, appointed by Authority of Parliament, had, or lawfully might have exercised.

And her it further Ordained by the Authority aforesaid, That where any person, that ought to have been Indemnified, by the true meaning of the said Acts and Orders of Indemnity, hath any Judgment or Award already obtained against him at Law, for any matter or thing for which he ought so to have been Indemnified, by reason whereof hee is disabled to plead his matter of Indemnity before the said Judges, before mentioned, that then in every such case, upon complaint exhibited before the said Barons of the Exchequer, setting forth his case, and alleging such matter for his Indemnity, as that Court shall judge sufficient; and also give in such Security, as the said Barons shall approve of, to pay Costs unto the party molested or dzawen so in question before the said Barons, in case hee shall not prove the suggestion of his said Complaint. The said Barons, in such special case, also may proceed to do therein, for Indemnifying the said party grieved, as hereby they are authorized to do, upon the certificate of the Judges before mentioned.

Provided alwaies, That nothing in this Ordinance be construed or understood to rebide the power of the said Committees in any the former Ordinances or Acts of Parliament names, so as to enable the said Committees to interfere in the execution of any the said Acts or Ordinances.

*Thursday, March 23. 1653.*

Ordered by His Highness, the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

An Ordinance for suspending the proceedings of the Judges named in the Act, Entituled, *An Act for the relief of Creditors and poor Prisoners.*

**V** Whereas upon perusal and serious consideration had of one Act of Parliament, Entituled, *An Act for the relief of Creditors and poor Prisoners*; many doubts and difficulties do appear, which must necessarily occasion an Explanation of the said Act, for the better enabling the Judges in the said Act named and authorized for sale of such Estates as are to be sold by the said Act, for satisfaction of Creditors, which cannot in short time be effected; and without such Explanation and further direction to be given to the several and respective Judges, authorized in and by the said Act, several inconveniencies and mischiefs would grow, not onely to the said Creditors and Prisoners, but to divers other persons, not meant or intended to be included within the said Act, and will occasion many troubles, and suits in Law, and Equity; For the prevention whereof, due care is likewise to be had: And whereas many of the said Prisoners have offered really to endeavour the satisfaction of the said Creditors, if some further time may be given for that purpose; Be it therefore Ordeined by His Highness the Lord Protector, by and with the advice and consent of His Counsel, That the said several and respective Judges mentioned in the said Act, or any of them, shall not proceed to the Sale or Disposition of any the Estates Real or Personal, of any of the said Prisoners, or of any other person or persons whatsoever mentioned or intended in or by the said Act; nor shall otherwise intermeddle in the execution of the said Act, or of any the powers or authorities given by the same, until the twentieth day of April next. And be it further Ordeined by the Authority aforesaid, That all acts or things to be done by the said several and respective Judges, or any of them, by virtue, colour, or pretence of the said Act, from henceforth, and before the said twentieth day of April, shall be utterly void, null, and of none effect; saving onely that it shall and may be lawful for the said several and respective Judges that have bailed or let out any Prisoners upon Querties or otherwise, out of Prison (which Prisoners are to appear again at a certain day before the said Judges, and are not absolutely discharged by any Order of the said Judges) to sit onely for the remanding and recommitting of the said Prisoners into their former Prisons and Goals, where they formerly were detained in Prison, there to remain in safe custody, and to continue and be in the same condition as formerly they were at the time of their bailing or letting out as aforesaid.

Friday, March 31. 1654.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

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## An Ordinance Prohibiting Cock-Matches.

**W**hereas the Publick meetings and Assemblies of People together in divers parts of this Nation, under pretence of Matches for Cock-fighting, are by experience found to tend many times to the disturbance of the publick Peace, and are commonly accompanied with Gaming, Drinking, Swearing, Quarrelling, and other dissolute practices, to the dishonour of God, and do often produce the ruine of Persons and their Families. For prevention thereof. Bee it Ordained by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That from henceforth there shall be no publick or set meetings or assemblies of any persons within England or Wales, upon Matches made for Cock-fighting; And that every such meeting, and assembly of people for the end and purposes aforesaid, is hereby declared to bee an unlawful assembly, and shall bee so adjudged, deemed, and taken to bee, and punished; And all Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables, and Head-boroughs, within their several Counties, Cities, Limits, and Jurisdictions, are hereby required to suppress, hinder, and disperse all such meetings and assemblies.

Friday, March 31. 1654.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.

An Ordinance for continuing one Act of Parliament,  
Entituled, *An Act for Probate of Wills, and granting  
Administrations.*

**B**e it Ordained by His Highness the Lord Protector, by and with the advice and consent of his Counsel, That one Act of Parliament, Entituled, *An Act for Probate of Wills, and granting Administrations, and all the Powers, Authorities, Matters and Things therein contained, shall bee, and are hereby revived and continued, in full power and force, to all intents and purposes, until further Order.* And it is hereby further Ordained, That Richard Lucy, John Hildesley, Nathaniel Barton, Jervas Bennet, Anthony Rous, Joachym Mathews, Edward Cludd, Thomas Wood, Esqs; and Robert Fitchburn Alderman of London, be added to the Judges mentioned in the said Act, and that the said Judges named in the said Act, and in this present Ordinance, or any three of them, bee, and are hereby authorized to put in execution all and every the Powers given by the said Act, as fully as any of the Judges therein named might have done by force of the said Act.

Monday, April 3. 1654.

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.



An Ordinance for better Amending and Keeping in Repair the Common High-ways within this Nation.

**V** Whereas the several Statutes now in force for mending High-ways are found by experience not to have produced such good Reformation as was thereby intended. Therefore, and to the end more effectual Remedies may bee provided, Bee it Ordained by His Highness the Lord Protector, by and with the advice and consent of his Council.

I.

That in every Parish within this Nation of England and Wales, there bee two or more (according to the Greatness of the Parish) able and sufficient Householders inhabiting in such Parish, and severally holding Lands there of the yearly value of twenty pounds or more, in occupation, or such others as shall bee worth one hundred pounds in personal Estate, elected and chosen, upon the first Tuesday next ensuing the five and twentieth day of March yearly, to bee Surveyors of the High-ways within their respective Parishes for the year ensuing.

II.

That if it shall fall out that no such Surveyors shall bee chosen, as aforesaid, within any such Parish, that then in such case the Parishioners of every such Parish shall forfeit twenty pounds to bee levied upon the most substantial Inhabitants thereof, who are to have contribution from all the rest of the Inhabitants of the said Parish who are taxable hereby for repair of the said High-ways; and in case of difference in rating, the same to bee ordered and settled by the Justices of the Peace of the said County, City or Town Corporate; where such Parish lyes, or any two of them; and in such case where no such election of Surveyors shall bee made as aforesaid, the then Overseers for the Poor of that Parish are hereby appointed to bee Surveyors of the said High-ways within such Parish, for the year ensuing.

III.

That ever Person being elected, hereby appointed to bee Surveyor of High-ways, as aforesaid, shall undertake the Office, and shall within ten days after such his Election, or being appointed, as aforesaid, procure himself to bee sworn before some Justice of Peace of the County, Riding, City, or Town Corporate, or Limit, within which his Parish doth lye, diligently and faithfully to execute the office of Surveyor of High-ways within his Parish for the year then ensuing, and faithfully to Account for all Sums which shall come to his hands by virtue of his said Office, which Duty every Justice of Peace is hereby impowred and authorized to administer, within the Limits of his Commission accordingly.

And if any such person so elected, or hereby appointed, shall refuse to accept of his said Office, and to procure himself to be sworn as aforesaid, that then every person so failing shall forfeit for the same the sum of ten pounds.

## IV.

That every Surbepor of High-ways, having accepted the Office, and being sworn as aforesaid, shall diligently apply himself to the duty and Execution of his Office, and shall within ten days after his Oath taken, view all the Common and Publick High-ways and Roads, where Carts and Carriages usually pass, and all common Bridges belonging to the said Parish, to repair, and all Water-courses, as also all Streets, and Pavements, and common Balances in the said Ways and Streets, within their respective Parishes; And shall consider what Reparations will be needful to be made, and what sums of Money will be requisite and necessary to be raised within the Parish for amending and repairing the same, upon pain of forfeiting twenty Shillings a piece for neglect of such view.

## V.

That the said Surbepors do, within six days after such view, give publick notice in the Church or Chappel to the Parishioners to meet to make an Assessment for repairing the said High-ways and Streets, for making and repairing of Pavements, and for cleansing the said Streets and Pavements, from time to time, and for what else shall be requisite for the purposes aforesaid, and thereupon a Rate or Tax in writing, within three days after such notice, shall be laid by the said Inhabitants present at such meeting, or the greater number of them, by a pound Rate, upon all the several Occupiers of Houses, Lands, Tythes, Cole-mines, Fellable-woods, Tenements or Hereditaments, within the Parish, according to the true yearly value of the same, and also upon the dead Goods, Commodities or Stock in Trade of every particular Parishioner charged to pay to the poor, rating every twenty pounds value of such Goods, equal to every twenty Shillings Land by year; And such further Rate to be afterward, and often made, as occasion shall require, so as all the Rates together do not exceed twelve pence in the pound for any one Parish in any one year.

## VI.

That if such Parishioners, or the greater number of them, shall not agree among themselves to make such Rate within two days after such meeting, that then the said Surbepors of High-ways themselves shall make a Rate in writing according to the direction aforesaid, and such Rate as the said Parishioners or Surbepors respectively shall so make, being confirmed by one Justice of peace, shall stand, until upon complaint and proof of some Irregularity or Inequality therein, to the Justices of Peace at the Sessions, the Bench of Justices, or any two of them then present shall see cause to alter the same; And if the said Justices shall finde cause to alter it, then the said Rate, with such alteration as they shall make, shall stand without any further Appeal.

## VII.

That in case where common Balances are in High-ways, or where such common High-ways in any Parish are streightned by reason of inclosures made within twenty years, either by Hedges, Ditches, Walls, or the like, or where Ditches or Water-courses adjoining upon such High-ways, or which do lead the water from such High-ways are not scoured and dressed, or where any Pavements are defective, or any Balances by ditch or otherwise are in any paved Streets, the said Surbepors shall see that the same be reformed, and the Offenders in any of the premises punished according to Law, by Information or Indictments, deducting for the charge of prosecution out of the Moneys collected; and the said Parishioners or Surbepors of High-ways respectively are hereby impowred in such case also to impose and levy over and above the twelfth pence in the pound beforementioned, such greater Rates and Rates upon the Occupiers of those Lands where such Inclosures, or Undrest Ditches or Fences be, as they shall respectively think fit, having the same Rates allowed by the Sessions of the peace, or the two next Justices of peace, as aforesaid, which shall be final to the parties.

## VIII.

That if any Parishioners rated to the mending of High-ways as aforesaid, shall fail to pay to the said Surbepors of High-ways his proportion of Tax rated upon him, by the space of seven days after publick notice and warning given for payment thereof, That then every such Parishioner failing shall pay double as much as he is rated at in the Tax.

## IX.

That for more effectual mending the said High-ways, and Parish Bridges, and Streets, and for removing publick Balances out of the same, The Surbepors aforesaid shall yearly at such convenient times as they shall agree upon, hire such, and so many Labourers and Workmen, and Carts and Carriages, as they shall think needful for mending the said High-ways, Parish Bridges, and Water-courses, and Streets, and shall cause them to be fully and perfectly mended from time to time, and such Workmen and Owners of Carts and Carriages are hereby required to work accordingly, for such reasonable Wages, and under such penalty, as any two Justices of peace within the Division shall think fit.

## X.

That in places where Ditches adjoining to common High-ways, or serving to lead the water from such High-ways are or shall be undrest or unscoured, or where water doth run into or stand in any such High-ways, to the annoyance of it, or where Trees, Bushes, or Hedges, standing in High-ways, or adjoining to High-ways, are suffered to grow up, and to hinder and obscure it from the power of the Sun for drying thereof, The said Surbepors are hereby impowred in all such respective places to cause such Ditches to be dressed and scoured, and to stop and divert any such water-courses, and to turn the water into any adjoining Ditch, or to make new Ditches in convenient places through the Grounds adjoining, for the



most convenient conveying such water, as also to cut, plash, and keep low all such Trees, Bushes, and Hedges, as they shall see cause,

## XI.

That the said Surbepors bee and are hereby impowred further to dig for and get Stones, Gravel, Sand, Sinder, Chalk, or any other material fit for mending High-ways in or upon any the wast or common Grounds within the Parish, or if they cannot there bee conveniently had, in and upon any private mans Pasture or fallow Ground where it may be had, within the Parish, or in any other near adjoining Parish, with convenient way for sending the same at such reasonable times, and so: such reasonable satisfaction and composition to such private persons as the said Surbepors and Occupiers of such Land shall agree upon, and in case of disagreement betwixt them, then so: such satisfaction as any Justice of Peace near adjoining, not interested in such Ground, to be indifferently chosen by the parties, shall set down and appoint, and such Order as the said Justices of Peace shall set down shall bee final to the parties, without further appeal.

## XII.

That in case where the said common High-ways and Streets are or shall bee so defective, or shall extend in so great length in any one Parish as that the Parish is overburthened therewith, and the Rate of twelve-pence in the pound before mentioned will not suffice to amend and repair the same, the Justices of Peace, at their open Sessions, are hereby impowred from time to time to rate such other Parishes within the Limits of their Commission, whose Rate for mending High-ways according to the true yearly value of the Land shall not amount to twelve pence in the pound as aforesaid, as the said Justices shall think fit, till the Rate amount to twelve-pence in the pound, towards the mending of the High-ways and Streets in such Parishes as they shall finde to be so overburthened.

## XIII.

That if any Wagons, Carts, or Carriages, wherein any burthen of dead Commodities or Wares shall at any time from and after the first day of May next bee drawn upon any such High-ways, Roads, or Streets with above five Horses or Pares, or six Oxen and one Horse or Pare, in any one Cart or Wagon, that then it shall bee lawful to or for any Constable or Surbepor of High-ways, or other Inhabitant in any Parish where such laden Wagon, Cart, or Carriage shall pass and be drawn as aforesaid, to distrain and seize all such supernumerary Horses, Pares, or Oxen, as he shall finde in any such Wagon, Cart, or Carriage, over and above the number of five Horses or Pares, or six Oxen and one Horse or Pare respectively, and the same supernumerary Horses, Oxen and Pares respectively, to detain and keep until such Owner or Driver have paid and answered into the hands of the Surbepors of High-ways within the Parish where such Distress and seizure shall be made, or one of them, the sum of twenty shillings for every such supernumerary Horse, Pare, or Ox; And if such penalty bee not paid within seven days after such Distress or seizure, together with full satisfaction



satisfaction for keeping the Beasts and Cattle distrained, and other Charges thereabouts in the mean time, that then it shall be lawful for such Surbeyors of High-ways to sell such Horses, Pares, or Oxen so seized, and to retain out of the price the said twenty shillings and charges, returning the overplus to the party. And in case any difference happen about the same, the next Justice of Peace shall determine the same, whose Order therein shall be final to each party.

## XIV.

That the Justices of peace at their open Sessions shall be, and are hereby enabled and enjoined, to enquire after, hear, and determine all matters concerning any Charitable Gifts, for the Paving, Amending, and keeping in Repair any common High-ways, Pavements, Streets, Causeys, or Bridges, within the Limits of their Commission, as well where special Visitors and Overseers are appointed, as otherwise, and make Orders and Decrees for the due imployment of such Charitable Gifts according to the true intent of the Donors thereof, as fully as any Commissioners for Charitable Uses may do; and in case they shall finde any wilful neglect or misimployment in any person or persons, body politick or corporate, in or concerning the same, the said Justices shall and may over and above the ordering and decreeing what shall be due and in arrear, with damage for not employing the said charitable Gift according to the true intent thereof, impose a fine, not exceeding forty pounds, upon such as shall be found offenders therein; which fine, in case of refusal to be paid within forty days of the demand made by Warrant from the Justices, or any two of them, shall be Levied by Warrant from the said Justices, by distress and sale of the offenders Goods, and being Levied, shall by the care of the said Justices be employed for the mending and repairing the said High-ways, Pavements, Streets, Bridges, or Causeys respectively; And such order as the said Justices shall make in the premises, shall be final without further appeal.

## XV.

That Streets and Pavements in any City, Town Corporate, or the Suburbs thereof, or near adjoining to the same, are hereby declared to be Common High-ways, and Scavengers to be Surbeyors, within the intent and construction of this Ordinance, and within all Laws in force concerning High-ways, and in every Parish and place where Pavements and Streets are, they shall be Paved and kept in good Repair, and cleansed for the conveniency and health of the Inhabitants; And where any of the Provisions aforesaid, or any other Laws now in force concerning High-ways, Streets, or Pavements, shall not be found sufficient to reform the great defects of Pavements and Water-courses; and in removing of filth and other Nuisances in such Streets and Places; it shall and may be lawful to and for the Inhabitants of any such Parish rated to the poor, to meet together at the time hereby appointed, for choice of Surbeyors, or Scavengers; at which time, or as often as the said Inhabitants shall please, they shall set down and make such reasonable by-laws and orders, for the raising and

taring the several Inhabitants of the said Parish, being occupiers of any Houses, Lands, Tenements, or Hereditaments, or having any Stock or Trade or otherwise, being of sufficient ability for reforming the defects in paving and cleansing the Streets, and causing the Channels and Water-courses to run freely, and for keeping the same in good order, and for assessing and imposing reasonable penalties upon offenders, and for Levying of the said several sums by Warrant of any Justice of Peace, within the limits of his Commission, by distress and sale of the offenders goods, and for employing the same, and reforming the neglect of Scavengers and Inhabitants in any the premises, as they shall think fit; which Orders so made, being presented unto, and allowed, or altered by the Justices of Peace at their open Sessions, shall be duly observed and put in execution, according to the allowance or alteration of the said Justices of Peace, and be final to all parties.

## XVI.

That all sums of Money Assessed and Rated as aforesaid, and all Fines, Penalties, Forfeitures, and other sums of Money arising by Assessment or otherwise, by this Ordinance, or by any other Law now in force, touching High-ways and Streets, and all Issues to be forfeited for not appearing to any Information or Indictment, for not repairing any High-ways, or not removing or reforming Defects and Disances in any Streets or High-ways; And all Fines or Amercements, to be imposed upon any Parish or private person, for not repairing High-ways, Streets or Water-courses, shall be employed and bestowed by the said Surveyors of High-ways, in paying Workmen's Wages for doing such works, and for such other employment as are hereby appointed to be done and performed, and shall be Levied by virtue of this Ordinance by the said Surveyors of High-ways, or any of them, by Warrant from any Justice of Peace within the County, Riding, City, Town, Corporate, or limit of his Commission, by distress and sale of the Goods of such person as shall be so behinde, or chargeable with any such sum; and for default of such distress or non-payment of the Money by the space of ten days after demand thereof made or left at his house in Writing under the hand of the said Surveyors, or either of them, the party so in arrear, shall be by Warrant from any Justice of Peace within the said Division, committed to prison to the Common-Goal of the County, there to remain without Bail or Mainprise, till he have paid double what shall be so in arrear, and charged upon him to pay, together with the charges incurred to parties prosecuting by such default.

## XVII.

That if any suit shall be commenced by any person against any Constable or Surveyors of High-ways, or against any person employed by them, or any of them, or authorized by this Ordinance, to do or perform, as by this Ordinance is directed, for doing and performing as aforesaid; that then in every such case, the Action shall be laid in the proper County where the fact was done, and not elsewhere; and the Defendant may plead the general Issue to it, and give the special matter in evidence at the Trial, That  
what

What was done, was done in pursuance of this Ordinance: and if upon examination it shall so appear to bee done, then the Jury shall finde for the Defendant: And in such case, as also if the Plaintiff shall be nonsuit, or discontinne his Action after the Defendant hath appeared, the Defendant shall have his full costs, which upon Oath bee shall make appear to the Judge before whom the Trial or discontinuance is had, bee hath laid out in defence of such Suit, and also ten pounds more, in regard of his unjust trouble and vexation, taxed by the Court against such Plaintiff.

## XVIII.

That every Surdewee elected or hereby appointed as aforesaid, shall yearly within one moneth after the expiration of the year, wherein he was so Surdewee, make and yield up to the Parishes of the Parish, a true and perfect account in writing, of all the monies he hath received or paid out within his year, for or by reason of his said office, namely, of what, and what received, and to whom, and what paid, and if any monies do remain in his hands, he shall pay the same over to the next Surdewee then in being, for the use of the said Parish, to be disbursed in and about the High-ways: And if such Surdewee shall refuse or neglect to make such account or repayment as aforesaid, then it shall be lawful to and for any Justice of Peace within the County, Riding, City, Town, Corporate, or Liberty where the Parish is, to examine the Account, and upon default found on the Surdewee's part, to commit such Surdewee to the Common Goal of the County, there to remain without Bail or Mainprize, until he shall make such Account, and Payment as aforesaid, together with such satisfaction for the damage which the said Parishes have sustained, by reason of such neglect, as any such Justice of Peace shall judge reasonable: But if the said Justice shall finde such Account to bee clear and good, then hee is to allow the same, and such Surdewee is not afterwards to bee questioned or troubled thereabouts: Provided always, that this Ordinance, nor any thing therein contained, shall not extend to discharge any person or persons, Body-politic or Corporate, from repairing or reforming any the defects and abuses, as aforesaid, which by any Grant, Tenure, Prescription, Limitation or Appointment, or any Charitable Gifts, they are bound and charged to repair and reform, nor to alter or make void any Law or Custom now in force, or used for the inspecting and constraining the said persons and Bodies-politic, as aforesaid, to perform and do their duties, in repairing such High-ways and Bridges as aforesaid. And it is the true intent and meaning of this Ordinance, that no Surdeweys, the amendment of High-ways, shall bee chosen at any other time, or otherwise than by this Ordinance is directed. And it is further Ordained by the Authority aforesaid, That no Writ of Certiorari, shall issue or be allowed to remove any Information, Indictment, Presentation, or other Proceedings, within this Ordinance, or within any Law now in force, concerning High-ways, Causes, or Bridges, except it bee upon some question, and controverfie, betwixt Countie and Countie.

And it is lastly Ordained, by the Authority aforesaid, That one Act



made in the first year of the Reign of the late Queen Mary, for, and concerning the making, repairing, and amendment of the Common Highways and Causes, in the Counties of Dorset and Somerset, between the Towns of Shaftsbury and Shilborne, in the said County of Dorset, Intended, An Act to repair Shilborne-Causie, in the Counties of Dorset and Somerset, from henceforth shall bee revised and stand in force, until the first of September, 1662.

Friday, March 31. 1654.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobel, Clerk of the Counsel.

### An Ordinance for adjourning part of Easter Term, 1654.

**W**HEREAS many abuses and corruptions are crept into the ordinary course and administration of Justice, both in Law and Equity, the Reformation whereof hath not yet been attained; Out of a tender care and desire that so necessary and good a work may at length bee brought to effect. It is held convenient and necessary to Adjourn part of the next Term of Easter. Be it therefore Ordained by His Highness the Lord Protector, by and with the consent of his Counsel, That part of the said Term of Easter next coming bee adjourned, That is to say, from and after the first Return called Quindena Pasche, unto the first Return of Trinity Term, called Crastino Trinitatis; And all and every person or persons, which have cause, or commitment to appear in any of the Courts at Westminster, in or at any day or time, from and after the said Return, called Quindena Pasche, and during the said Term, called Easter Term, may tarry at their dwellings, or where their business shall be, without relating to any of the said Courts for that Cause, and without danger or forfeiture, penalty or contempt to bee in that behalf: And bee it also Ordained by the Authority aforesaid, That Writs of Adjournment shall bee directed to the Justices of the said Courts, giving them Authority to adjourn the said Term of Easter, as aforesaid: That is to say, from and after the first Return, called Quindena Pasche, until the first Return of Trinity Term, called Crastino Trinitatis, as before is said, and the said Adjournment shall bee made, as aforesaid. And bee it further Ordained by the Authority aforesaid, That all Masters, Clerks and Deuts, depending in any of the said Courts, shall have continuance, and the parties shall bee day, from the day of the said Adjournment, until the said Return of Crastino Trinitatis, as is aforesaid; And the Lords Commissioners of the Great Seal are required to fill forth Writs accordingly. And bee it further Ordained by the Authority aforesaid, That the Sheriffs of London and Middlesex, and all other Sheriffs both in England and Wales, do forthwith procure and publish this Ordinance in the Chief Market Towns within their several and respective Counties.

Thursday, April 6. 1654.

Ordered by His Highness the Lord Protector and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobel, Clerk of the Counsel.



# An Ordinance for Adjourning part of Easter Term, 1654.

**W**HEREAS many abuses and corruptions are crept into the ordinary course and administration of Justice, both in Law and Equity, the Reformation whereof hath not yet been attained: Out of a tender care and desire that is necessary and good a work may at length be brought to effect, It is held convenient and necessary to Adjourn part of the next Term of Easter: Be it therefore Ordained by His Highness the Lord Protector, by and with the consent of his Council, That part of the said Term of Easter, notwithstanding here adjourned, That is to say, from and after the said Return called Quindena Pasche, unto the last Return of the said Easter Term, called Crastino Ascensionis: And all and every person or persons, which have call, or commandment to appear in any of the Courts at Westminster, in or at any day or time from and after the said Return called Quindena Pasche, may tarry at their dwellings, or where their business shall lie, without coming to any of the said Courts for that time, until the said last Return, called Crastino Ascensionis, without danger or forfeiture, penalty or contempt to be in that behalf. And be it also Ordained by the Authority aforesaid, That Writs of Adjournment shall be directed to the Justices of the said Courts, and Barons of the Exchequer, giving them Authority to adjourn the said part of the said Term of Easter, as aforesaid, that is to say, from and after the said first Return, called Quindena Pasche, until the said last Return of the said Term, called Crastino Ascensionis as before is said, and the said Adjournment shall be made, as aforesaid. And be it further Ordained, That all Writters, Causes and Suits, depending in any of the said Courts, shall have continuance, and the parties shall have day, from the day of the said Adjournment, until the said Return of Crastino Ascensionis, as is aforesaid: And the Lords Commissioners of the Great Seal are required to sign forth Writs accordingly. And be it further Ordained, That a former Ordinance of the sixth day of this instant April, for the adjourning of part of the said Term, until the first Return of Trinity Term next, called Crastino Trinitatis, be from henceforth repealed and void. And it is lastly Ordained by the Authority aforesaid, That the Sheriffs of London and Middlesex, and all other Sheriffs both in England and Wales, do forthwith proclaim and publish this Ordinance in the Chief Market Towns and usual places within their several and respective Counties.

Saturday, April 8. 1654.

Ordered by His Highness the Lord Protector and his Council, That this Ordinance be forthwith Printed and Published.

Henry Scobell, Clerk of the Council.

An Ordinance Impowring Commissioners to put in Execution an Act of Parliament, Entituled (*An Act Prohibiting the Planting of Tobacco in ENGLAND.*)

**U**Pon consideration had of the great prejudice arising to the English Plantations in Foreign parts, and the great Damage and Loss to Trade at home, by the planting of Tobacco in this Nation; Be it Ordained by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That Sir William Robert, John Stone, Gervas Bennet, Henry Elling, Adam Balne, and John Bocket, Esquires, or any three or more of them, bee, and they are hereby appointed Commissioners, and impowred, authorized and required, by all fit and lawful waies and means, to put in Execution an Act of Parliament, Dated the first of April, 1652. Entituled, (*An Act prohibiting the Planting of Tobacco in England*) and every Clause, Article, Matter and Thing therein contained, Any Act or Ordinance to the contrary notwithstanding; And all Officers, Civil and Military, and all other persons, are hereby required to bee aiding and assisting unto the said Commissioners, or any person or persons employed by them in this service, for the effectual execution of all the Powers and Authorities, by the said Act or this Ordinance, granted and intrusted to the said Commissioners.

Tuesday, April 11. 1654.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An Ordinance touching Surveyors of the High-ways for this present year, 1654.

**W**HEREAS in an Ordinance for better amending and keeping in Repair the Common High-Waies within this Nation, It is Ordained, amongst other things, That two or more able and sufficient Householdors, as in that Ordinance is expressed, should bee elected and chosen upon the first Tuesday next ensuing the five and twentieth day of March yearly, to bee Surveyors of the High-Waies within their respective Parishes for the year ensuing; And whereas by reason of the late publishing of the said Ordinance, the time aforesaid

aforesaid for such Election for this year was elapsed, so as such Election could not be made on that day in pursuance of the said Ordinance, whereby the benefit intended to the people thereby is obstructed; Bee it ordained by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That the Persons which already are chosen, or shall be chosen before the first day of May, 1654. to be Surdepors of the High waies, (which Election is hereby enjoyed to be made in every Place and Parish by the time aforesaid, under the Penalties in that Ordinance expressed) in case no election hath been already made, shall undertake the said Office, and be sworn on, or before, the fifth day of May aforesaid, under the Penalties in the said Ordinance set down in that behalf, and shall be Surdepors for this present year, as if such Election had been made on the said first Tuesday after the said five and twentieth day of March last, any thing in the said Ordinance to the contrary notwithstanding; And the said Surdepors so sworn, and all other persons authorized by the said Ordinance, shall be, and are hereby imposed, to proceed in, and put in execution all the Directions, Powers and Authorities in the said Ordinance contained, as fully, to all intents and purposes, as if the Election had been made on the day therein appointed.

*Wednesday, April 22. 1654.*

Ordered by His Highness, the Lord Protector, and his Counsel,  
That this Ordinance be forthwith Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

## An Ordinance of Pardon and Grace to the People of Scotland.

**H**is Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, being desirous that the Mercies which it hath pleased God to give to this Nation, by the successes of their Forces in the late War in Scotland, should be improved for the good and advantage of both Nations, and the people of Scotland made equal sharers with those of England, in the present settlement of Peace, Liberty and Prosperity, with all other Privileges of a Free People. Doth Ordain and Declare, And be it Ordained and Declared by his Highness the Lord Protector, with the consent of his Counsel, That all persons of the Scottish Nation, of what degree or quality soever they or any of them are (except the persons hereafter in this Ordinance particularly excepted) shall be, and are hereby, and from and after the first day of May in the year, One thousand six hundred fiftie four, Freed, Acquitted and Discharged, from all Forfeitures, Pains, Penalties, Fines, corporal or pecuniary, Restraints, Imprisonment or Imprisonments, Punishment or Punish-

punishment whatsoever (other then is hereafter in this Ordinance expressed) for any matter or thing by them, or any of them committed or don by Sea or Land, in relation to the late War, or any preceding Wars between the two Nations; And that so, the matters aforesaid, there shall be from and after the said first day of May, aforesaid, no Sequestration, Confiscation, Fine, Penaltie, Forfeiture or Punishment, imposed or continued upon them, or any of them, (otherwise than as is hereafter in this Ordinance expressed) but the same shall be put in perpetual Oblivion.

And also that the Estates real and personal of all persons of the Scotch Nation (except as is hereafter in this Ordinance excepted and provided) shall bee and are hereby and from thenceforth, freed, discharged, and acquitted, from all Sequestrations, Confiscations, Fines, Penalties, and Forfeitures whatsoever, for any matter or thing by them, or any of them committed or don, in relation to the aforesaid Wars between the two Nations.

Except and alwaies reserved out of this present Ordinance, and all benefit thereof, Henrietta Maria, the Keliut and late Queen of the late King Charles deceased; Charles Stuart their eldest son, James Stuart their second son, and all the Honors, Honors, Castles, Dowries, Possessions, Forests, Chases, Parks, and Lands, and all Tenements and Hereditaments, Royalties, Privileges, Franchises, Immunities, Rents, and appurtenances to them, or any of them in Scotland, belonging or appertaining, or heretofore lawfully used or enjoyed by them, or any of them, as part or parcel thereof; and also all the goods and chattels, and all the Estates, both real and personal, in Scotland, heretofore belonging to the late King Charles Deceased, either in right of the Crown of Scotland, or in any other right or capacity, or unto Henrietta Maria, the Keliut and late Queen of the said King, or unto Charles Stuart their eldest son, or James Stuart their second son, or unto any other the Issue or Posterity of the said late King Charles, or otherwise belonging unto them, or any of them, and which were in the actual seizin or possession of them, or any of them, or of their, or any of their Tenants, Agents, Servants, Trustees, Officers, or Ministers in their right, and to their use, or in trust for them, or any of them, on the seven and twentieth day of March, in the year of our Lord, One thousand six hundred twenty and five, or at any time since, or to which they, or any of them have of right been answered the profits, or might, or ought to have received the same in the year aforesaid, or at any time since, and all reversions or remainders of any Estate or Estates, to them, or any of them belonging or appertaining, and that free from all Bonds or Estates, Titles, Interests, Debts, Charges, and Incumbrances whatsoever, wherewith the said Lands or Premises, or any of them stand or stood charged or chargeable with, or are pretended to stand charged or chargeable with, at any time since the first day of May, One thousand six hundred forty two, and not before. And also excepted out of this present Ordinance, and all benefit thereof, James late Duke of Hamilton deceased, William late Duke of Hamilton, deceased, John Earl of Crawford-Lindsey, James Earl of Calender,

Marshall,



Marshall, Earl of Kelley, John Earl of Lowderdale, John  
 Earl of Lowdown, Earl of Seaforth, Earl  
 of Athol, Viscount Kenmore, Lord Lorne,  
 eldest son of the Marquess of Argyle, Lord Maclean,  
 eldest son of the Earl of Lowdown, Lord Montgomery,  
 eldest son of the Earl of Eglington, George Lord Spynie,  
 Lord Cranston, Lord Sinclair, Thomas Dal-  
 lyell, late Major General of the Foot in the Scottish Army, John  
 Middleton, late Lieutenant General of the Foot in the Scottish  
 Army, James Viscount Newburgh, Lord Bargany, Sir Thomas  
 Thomson, James Edmeston, Laird of Womack, Lord Napier,  
 William Earl of Glencarne, and all the Barons, Bishops,  
 Castles, Houses, Possessions, Forests, Churches, Parishes, Towns,  
 and all Tenements and Hereditaments, Manors, Villages,  
 Franchises, Immunities, Rents and Appurtenances to them, of  
 any of them, belonging, or appertaining, or on the eighteenth day  
 of April, in the year of our Lord, One thousand six hundred  
 forty eight, lawfully used or enjoyed, with them or any of them,  
 as part or parcel thereof, and also all the Caves, and Churches,  
 and all the Estates, both real and personal, belonging unto the  
 said James late Duke of Hamilton, William late Duke of Hamil-  
 ton, John Earl of Crawford-Lindley, James Earl of Caithness,  
 Earl of Kelley, John Earl of Lowderdale, John Earl of Lowdown,  
 Earl of Seaforth, Earl of Athol, Viscount Kenmore,  
 Lord Maclean, Lord Montgomery, George Lord  
 Spynie, Lord Cranston, Lord Sinclair, Thomas Dal-  
 lyell, John Middleton, James Viscount Newburgh,  
 Lord Bargany, Sir Thomas Thomson, James  
 Edmeston, Lord Napier, William Earl of Glencarne, or any of  
 them, and which were in the actual seisin or possession of them, or  
 any of them, or of their, or either of their Tenants, Agents, Ser-  
 vants, Trustees, Officers, or Ministers, in their right and for their  
 use, or in trust for them or any of them, on the eighteenth day of  
 April, in the year of our Lord, One thousand six hundred  
 forty eight, or at any time since, or for which they, or any of them, have  
 of right been answered the Profits, or might or ought to have re-  
 ceived the same, at the time aforesaid, or at any time since, and all  
 Remainders or remainders of any Estate or Estates, to them, or any  
 of them, belonging, or appertaining, and that free from all and all  
 manner of Estates, Titles, Interests, Debts, Charges, and In-  
 cumbrances whatsoever, inhereunto the said Lands and Premises  
 or any of them, stand, or have charged or chargeable with, or are  
 pretended to stand charged or chargeable with, by force of any Act  
 or Acts, Deeds, Grant, or other thing now by any of the persons be-  
 fore named, at any time since the said eighteenth day of April,  
 One thousand six hundred forty and eight, and all before, and  
 also excepted out of this present Ordinance, and all Benefit  
 thereof, all the Estate, Right, Interest, Claim and Demand,

of James Lord Mordington, of, in, or to, the Paulstun Field, Dunk, Conygarth, Coustables-Batt, Two Water-mills, and a Wind-mill lying within Barwick bounds. And also excepted out of this present Ordinance, and all benefit thereof; all and all manner of Estates, Titles, Interests, Debts, Charges, and Incumbrances whatsoever, claimed out of any the Estate or Estates, of any of the persons excepted as aforesaid, or of any other person or persons as Sureties for them, or any of them, by, for, or in right, and to the use of any person or persons whatsoever, who sitting as a Member or Members of the late Parliament of Scotland, in the year, One thousand six hundred forty and eight, did not protest in the great Protestation made in the said Parliament, against the proceedings of the said Parliament, by which the Armie was raised under James Duke Hamilton, or that invaded England with the said James Duke Hamilton, in the said year, or that sat in the late Parliament, or Committees of Estates of Scotland, from and after the Coronation of Charles Stuart, in the year, One thousand six hundred fifty and one, or that fought the Battle of Dunbar, on the third day of September, One thousand six hundred and fifty, served in Arms in Scotland under the said Charles Stuart, or any Commissionated by him, or his Authority, or that invaded England with the said Charles Stuart, or any of his Forces, in the said year, One thousand six hundred fifty and one, which said Estates, Titles, Interests, Debts, Charges and Incumbrances, are by Authority aforesaid, released, and discharged (such onely excepted, who have deserted the said Charles Stuart, and not boyn Arms against the Parliament, since the said third day of September, One thousand six hundred and fifty, as also such whose Merits and Services to this Common-wealth, have rendered them capable of being taken into a more favourable consideration by His Highness.)

Provided always, And be it Ordained, That all and every person and persons whatsoever, claiming any Estate, Title, Interest, Debts, Charge or Incumbrance, out of any the Estate or Estates excepted as aforesaid, do and shall within threety days after publick Proclamation made of this Ordinance, in the County where the person making such Claim doth live, enter his and their respective Claims, with John Swinton of Swinton, Esq; William Law, Esq; George Smith, Esq; Sir James M<sup>r</sup> Dowel of Garchland, Samuel Disbrow, John Thompson, Esquires, or any three of them, and make the truth and reality of them sufficiently appear unto the said John Swinton, William Lawrence, George Smith, Sir James M<sup>r</sup> Dowel, Samuel Disbrow, and John Thompson, or any three of them, within four moneths after such Entry made, and obtain from them or any three of them a Certificate of their allowance of such Claim and Claims, and that in default thereof, the said Estates, Titles, Interests, Debts, Charges, and Incumbrances, be, and the same are hereby Declared, as well to Sureties as Principals, discharged, and made null and void; Provided also that all and every the Debts, Charges, and Incumbrances, upon all and every the  
 Estates

Estate and Cates aforesaid, which shall be so allowed, shall be paid and satisfied by such ways, and in such manner onely, as shall be hereafter declared and appointed by His Highness the Lord Protector, by and with the consent of His Counsel. And it is further Ordained by the Authority aforesaid, That Lands of the clear yearly value of four hundred pounds sterling, over and above all charges, and reprises, be settled upon the Lady Anne Hamilton, eldest Daughter of the said James Duke Hamilton, and her heirs, charged with the payment of the yearly Rent of twenty pounds sterling, to His Highness the Lord Protector, and his Successors for ever. And that Lands of the yearly value of two hundred pounds sterling, over and above all charges and reprises, be settled upon the Susan Hamilton, one other of the Daughters of the said James Duke Hamilton, and her heirs, out of the Estate of the said James and William late Duke Hamilton, charged with the payment of the yearly Rent of ten pounds sterling, to His Highness the Lord Protector and his Successors for ever. And that Lands of the yearly value of four hundred pounds sterling, over and above all charges and reprises, be settled upon Elisabeth Dutches of Hamilton Widow, and Relict of William late Duke Hamilton deceased, for term of her natural life, and after her decease, to the four Daughters of the said William, by the said Dutches, to be equally divided amongst them, and to their heirs for ever, out of the Estate of the said William or of James late Duke Hamilton, charged with the payment of the yearly Rent of twenty pounds sterling, to His Highness the Lord Protector and his Successors for ever. And that Lands of the clear yearly value of four hundred pounds sterling, over and above all charges and reprises, be likewise settled out of the Estate of the said John Carl Crawford, upon

Countess of Crawford his now wife for her life, and after her decease, upon the issue of her body, by the said Carl begotten, and their heirs, charged with the payment of the yearly Rent of twenty pounds sterling, to His Highness the Lord Protector and his Successors for ever. And that Lands of the clear yearly value of four hundred pounds sterling, over and above all charges and reprises, be settled upon

Countess of Lowdown and her heirs for ever, out of the Estate of the said John Carl of Lowdown, charged with the payment of the yearly Rent of twenty pounds sterling, to His Highness the Lord Protector and his Successors for ever: be the said Countess of Lowdown accepting thereof, in lieu of all Joynture, Dowry, or any other Interest or Title she hath, or may claim, in possession, reversion, or remainder of, in, or to the Estate of the said John Carl of Lowdown, or Lord Machlin, or of either of them, or by them, or either of them, claimed in right of the said Countess, and releasing the same by the time hereafter in this Ordinance appointed, and in such manner as is herein directed; which release shall be good and effectual in Law, to bar the said

Countess of Lowdown and her heirs. And be it further

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ther Ordained, That the Countess of Calender, shall hold and enjoy all and every the Lands, Tenements, and Hereditaments, conveyed for her Forpiture, from late Earl of Dumfries, her former husband. And that Lands of the clear yearly value of two hundred pounds sterling, over and above all charges and reprises, be settled upon Mary eldest Daughter of Earl Marshall, and her heirs; And that Lands of the yearly value of one hundred and fifty pounds sterling, over and above all charges and reprises, be settled on each of the other daughters of the said Earl Marshall, viz. Elisabeth, Isabel, and Jane, and their heirs respectively, out of the estate of the said

Earl Marshall, excepted as aforesaid, charged with the payment of the yearly Rent of thirty two pounds ten shillings sterling, unto His Highness the Lord Protector and His Successors for ever, to be appointed in the Grants of the respective Lands rateably. And that Lands of the clear yearly value of three hundred pounds sterling, over and above all reprises, be settled upon

Countess of Lowderdalle, and the heirs of the body of John Earl of Lowderdalle, of the body of the said Countess begotten, or to be begotten, out of the Lands and Estate of the said John Earl of Lowderdalle, excepted as aforesaid, charged with the payment of the yearly Rent of fifteen pounds sterling, to His Highness the Lord Protector and His Successors for ever. And that Lands of the clear yearly value of two hundred pounds sterling, over and above all reprises, be settled upon the now wife of the said

Lord Cranston, and the heirs of the body of the said Lord Cranston, of the body of his said wife begotten, or to be begotten, out of the Lands and Estate of the said

Lord Cranston, excepted as aforesaid, charged with the payment of the yearly Rent of ten pounds sterling, unto His Highness the Lord Protector, and his Successors for ever. And that Lands to the clear yearly value of two hundred and fifty pounds sterling, over and above all reprises, be settled upon the now wife of

Lord Bargany, and the heirs of the body of the said Lord Bargany, on the body of his said now wife begotten, or to be begotten, out of the Lands and Estate of the said

Lord Bargany, excepted as aforesaid, charged with the payment of the yearly Rent of twelve pounds and ten shillings sterling Money, unto His Highness the Lord Protector, and his Successors for ever. And that Lands, of the clear yearly value of one hundred and twenty pounds sterling, over and above all reprises, be settled upon the now wife of the said Sir Thomas Thompson, and the heirs of the said Sir Thomas Thompson, of the body of his said now wife begotten, or to be begotten, out of the Estate of the said Sir Thomas Thompson; excepted as aforesaid, charged with the yearly Rent of six pounds, to be paid unto His Highness the Lord Protector, and his Successors for ever. Provided that before any such settlement shall be made unto any the persons above mentioned, out of the Lands excepted by this Ordinance, or that any of the said persons shall be permitted to enjoy any benefit by any of the Clauses aforesaid, all and every the said person and persons



sons, being the now wife, child, or children of any the persons excepted and excluded from the benefit of this Ordinance, shall before the five and twentieth day of December, which shall be in the year of our Lord, one thousand six hundred fifty four, by Deed, under her or their Hands and Seals respectively, Release all her and their Claim, Title, and demand of Power, Joynture, and other interest in possession, reversion, or remainder, of, in, or to all and every the Lands, Tenements, and Hereditaments, of the husband or father of such person releasing; And that all and every such release, being attested under the hands of two credible witnesses, and delivered unto the persons before in this Ordinance appointed to receive and determine claims, or any three of them, shall be, and is, and are hereby Declared to be valid and effectual in Law, to bar such person and persons so releasing, from claiming any Right, Title, Interest, or Demand, of, in, or to all and every the Lands, Tenements, and Hereditaments, of the husband or father of such person or persons releasing notwithstanding the coverture, minority, infancy, or other disability of the person or persons so releasing, other than such as shall be settled upon her or them, in pursuance of the provision aforesaid. And in default of such release, to be made as aforesaid all and every the person and persons aforesaid, so making default, shall be from thenceforth ever debarred and excluded from any benefit or advantage by this Ordinance, or any thing therein contained.

Provided also that all and every the Lands and Estate which shall by force of this Ordinance be set out and settled, as aforesaid, for the provision of the wife or children of any the persons excepted, as aforesaid, shall nevertheless be liable unto the satisfaction of the just and proper Debts of the respective Person and Persons, out of whose Estate the same is so settled (in case all the rest of his or their respective Estate and Estates shall not be sufficient to satisfy the said respective Debts) so far forth and in such manner as shall be hereafter declared and appointed by His Highness the Lord Protector, by, and with the consent of His Council.

Provided also and it is further Ordained, That the several Persons hereafter named, do pay unto His Highness the Lord Protector his publick Receipt, the several respective sums of Money hereafter mentioned and expressed, as a fine and fines so; and in respect of his and their Estate and Estates, to be paid in such manner, and at such times, as is hereafter in this Ordinance expressed, that is to say, David Leslie, late Lieut. General of the Scotch Army, four thousand pounds sterling.

Marquess of Douglas, one thousand pounds sterling. Lord Angus eldest Son to the Marquess of Douglas, one thousand pounds sterling. Earl of Sclerigge one thousand pounds sterling. The Heirs of Francis late Earl of Buchan, deceased, fifteen thousand pounds sterling.

Earl of Galloway, four thousand pounds sterling. William Earl of Roxburgh, six thousand pounds sterling. William Lord Cockeram, five thousand pounds sterling. James Lord Forrester, two thousand five hundred pounds sterling. Philip Amisruther son of Sir Robert Amisruther, one thousand marks sterling. Sir Archibald Sterling of Garden, one thousand five hundred pounds sterling. James Drummond of Mackenzie, five hundred pounds

pounds sterling. Henry Maw, son to the Earl of Panmure, two thousand five hundred pounds sterling. Sir James Levingston of Kilsyth, one thousand five hundred pounds sterling. William Murray of Polemhall, one thousand five hundred pounds sterling.

Earl of Buchan, one thousand pounds sterling.

Viscount Dudo, one thousand five hundred pounds sterling.

Preston of Craigmill, one thousand five hundred pounds sterling. Sir Andrew Fletcher of Inner Petrie, five thousand pounds sterling. Sir John Wanchab of Netherby, two thousand pounds sterling.

Earl of Perth and Lord Drummond his eldest son, five thousand pounds sterling.

Earl of Winton, two thousand pounds sterling.

Earl of Finglister, one thousand five hundred pounds sterling.

Earl of Murray, three thousand five hundred pounds sterling.

Earl of Queensburgh, four thousand pounds sterling.

Earl of Elch, five thousand pounds sterling.

Lord Duff, one thousand five hundred pounds sterling.

Lord Grey, one thousand five hundred pounds sterling.

Sir Henry Nisbett, one thousand pounds sterling.

Earl of Panmure, ten thousand pounds sterling.

Lord of Dundee, one thousand pounds sterling.

Earl of Arroll, two thousand pounds sterling.

Earl of Tullibardine, one thousand pounds sterling.

Earl of Sowthick, three thousand pounds sterling.

Earl of D'houfie, one thousand pounds sterling.

Earl of Hartfield, two thousand pounds sterling.

William Lord Rolfe, three thousand pounds sterling.

Lord Campbell, one thousand pounds sterling.

Lord Elphinstone, one thousand pounds sterling.

Lord Bole, one thousand five hundred pounds sterling.

James Lord Cooper, three thousand pounds sterling.

Lord Balvaird, one thousand five hundred pounds sterling.

Lord Rollock, one thousand pounds sterling.

Earl of Kinghorne, one thousand pounds sterling.

Earl of Kinkardine, one thousand pounds sterling.

Lord Baine, one thousand pounds sterling.

Sir Robert Meldrum of Tillybody, one thousand pounds sterling.

Sir Robert Graham of Morprie, one thousand pounds sterling.

Sir William Scot of Harden, three thousand pounds sterling.

Hay of Nachton, one thousand pounds sterling.

Renon of Lamberton, one thousand pounds sterling.

Colquhoun of Laz, two thousand pounds sterling.

Hamilton of Preston, one thousand pounds sterling.

Sir Francis Hay of Bowley two thousand pounds sterling.

Arnot of Ferney, two thousand pounds sterling.

Sir Robert Forquhar, one thousand pounds sterling.

Sir Francis Reven, three thousand pounds sterling.

Scot of Montross, three thousand pounds sterling.

Lord of Rothenmerdon, five thousand pounds sterling.

Colerney, the younger, one thousand pounds sterling.

Sir John Scot of Scots-Tarbut, one thousand pounds sterling.

Lord of Gosford, one thousand pounds sterling.

Lord of Bachilton, one thousand pounds sterling.

James Mercer of Aldy, one thousand pounds sterling.

Earl of Rothes, one thousand pounds sterling.

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ling. Lieutenant Colonel Elliot of Stebb; one thousand pounds sterling. Sir Lewis Stuart, Advocate, one thousand pounds sterling. Patrick Scot of Thirlestone, two thousand pounds sterling. Sir James Carmichael, two thousand pounds sterling. Sir Patrick Cockburne of Clarkington, two thousand pounds sterling. Sir George Morison of Preston Grange, two thousand pounds sterling. Murcey, Laird of Stanhop, son to Sir David Murrey deceased, two thousand pounds sterling. All and every which sum and sums of Money, shall be paid unto George Bilson, Deputy Treasurer at Leith; one moiety thereof, on, or by the second day of August, One thousand six hundred fifty four; and the other moiety, on, or by the second day of December, then next ensuing; and in default of such payment, all and every the real and personal Estate of every person and persons so making default, shall from thenceforth be absolutely confiscate; and the Commissioners for Sequestrations, are hereby empowered to seize the same accordingly.

Provided always, and it is Ordained and Declared by the Authority aforesaid, That this Ordinance or any thing therein contained shall not extend, or be construed to extend, to the restoring or rebuilding of any Lordship, Dominions, Jurisdiction, Tenure, Superiority, or any things whatsoever, taken away and abolished by one other Ordinance, Entituled, An Ordinance for Uniting Scotland into one Commonwealth with England.

Excepted and also referred out of this present Ordinance, and all benefit thereof, all and every other person and persons, not herein before named or expressed, that hath, or have been at any time since the first day of May, One thousand six hundred fifty and two, or now is, or are in Arms in Scotland, in opposition to this Commonwealth. Saving and reserving, to all person and persons whatsoever, excepted out of this Ordinance, all benefits and advantages of any Articles of War, to them granted by His Highness, the now Lord Protector, as General of all the Forces of this Commonwealth, or any other, by virtue of any Authority from him derived, any thing in this Ordinance contained to the contrary thereof in any wise notwithstanding.

Provided always, and be it further Ordained, That this Ordinance, or any thing therein contained, shall not extend, nor be construed to extend, to the freeing or discharging, of any Prisoner or Prisoners of War, from their respective Imprisonments; or to the cancelling or discharging of any Surety, Bond, Paroll, or Engagement, of, or for any Prisoner of War, without the special Order of His Highness the Lord Protector, or whom hee shall appoint.

Provided also, that this Ordinance, or any thing therein contained, shall not extend, nor to be construed to extend to the confirming of any Patent, Gift, or Grant made by the late King James, or the late King Charles, whereby any Rent or other duty or Revenue belonging to the Crown of Scotland, hath contrary to the Law of Scotland, been altered, changed converted, or diminished; but that all and every such Rent, Duty and Revenue, shall remain, and be paid in kind unto the Lord Protector, and his Successors in the same manner, as the same were paid before any such patent gift, or grant made.

Wednesday, April 12, 1654. Ordered by His Highness, &c.



## An Ordinance for uniting Scotland into one Commonwealth with England.

**H**is Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, &c. taking into consideration how much it might conduce to the glory of God, and the Peace and welfare of the People in this whole Island, That after all those late unhappy Wars and Differences, the People of Scotland should bee united with the People of England, into one Commonwealth, and under one Government; And finding that in December one thousand six hundred fifty and one, the Parliament then sitting did send Commissioners into Scotland to invite the People of that Nation unto such a happy Union, who proceeded so far therein, that the Shires and Burroughs of Scotland, by their Deputies convened at Dalkeith, and again at Edinburgh, did accept of the said Union, and assent therunto. For the compleating and perfecting of which Union, Bee it Ordained, and it is Ordained by his Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, by and with the advice and consent of his Counsel, That all the people of Scotland, and of the Isles of Orkney and Zethland, and of all the Dominions and Territories belonging unto Scotland, are and shall be; and are hereby Encompassed into, Constituted, Established, Declared, and Confirmed one Commonwealth with England; And in every Parliament to be held Successively for the said Commonwealth, thirty persons shall bee called from, and serve for Scotland.

And for the more effectual preservation of this Union, and the freedom, and safety of the People of this Commonwealth so united, Bee it Ordained, and it is Ordained by the Authority aforesaid, That all the people of Scotland, and of the Isles of Orkney and Zethland, and of all the Dominions and Territories belonging unto Scotland, of what Degree or Condition soever, be discharged of all Fealty, Homage, Service and Allegiance, which is or shall be pretended Due unto any of the Issue and Posterity of Charles Stuart, late King of England and Scotland, or any Claiming under him; And that Charles Stuart, eldest Son, and James, called Duke of York, second Son, and all other the Issue and Posterity of the said late King, and all and every person and persons, pretending Title, from, by, or under him, are, and be disabled to hold or enjoy the Crown of Scotland, and other the Dominions therunto belonging, or any of them, or to have the Name, Title, Style, or Dignity of King, or Queen of Scotland, or to have and enjoy the Power and Dominion of the said Kingdom and Dominions, or any of them, or the Honours, Manors, Lands, Tenements, Possessions and Hereditaments belonging or appertaining to the said Crown of Scotland, or other the Dominions aforesaid, or to any of them, any Law, Statute, Usage, Ordinance or Custom in Scotland to the contrary hereof in any wise notwithstanding.



And it is further Ordained by the Authority aforesaid, That the said Office, Style, Dignity, Power and Authority of King of Scotland, and all right of the three Estates of Scotland, to Convoke or Assemble in any General Convocation or Parliament, and all Conventional and Parliamentary Authority in Scotland, as formerly Established, and all Laws, Usages, and Customs, Ordaining, Constituting, or Confirming the same, shall be, and are hereby, and from henceforth abolished and utterly taken away, and made null and void.

And that this Union may take its more full Effect and Intent, Be it further Ordained by the Authority aforesaid, That the Arms of Scotland, viz. a Cross, commonly called Saint Andrews Cross, be received into, and born from henceforth in the Arms of this Commonwealth, as a Badge of this Union; and that all the publick Seals, Seals of Office, and Seals of Bodies, Civil or Corporate, in Scotland, which heretofore carried the Arms of the Kings of Scotland, shall from henceforth instead thereof, carry the Arms of this Commonwealth.

And be it further Ordained by the Authority aforesaid, That all Customs, Excise, and other Imposts for Goods transported from England to Scotland, and from Scotland to England, by Sea or Land, are and shall be so far taken off, and discharged, as that all Goods for the future shall pass as free, and with like Privileges, and with the like Charges and Burthens, from England to Scotland, and from Scotland to England, as goods passing from port to port, or place to place in England; and that all Goods shall and may pass between Scotland, and any other part of this Commonwealth, or the Dominions thereof, with the like Privileges, Freedom, Charges and Burthens, as such Goods do, or shall pass, between England, and the said parts and Dominions, any Law, Statute, Usage or Custom to the contrary thereof in any wise notwithstanding. And that all Goods prohibited by any Law now in force in England to be transported out of England to any Foreign parts, or imported, shall be, and hereby are prohibited to be transported or imported, by the same Law, and upon the same penalties, out of Scotland to any Foreign parts aforesaid, or from any Foreign parts into Scotland.

And be it further Ordained by the Authority aforesaid, That all Cesses, publick Impositions and Levations whatsoever, be imposed, taxed, and levied from henceforth proportionably from the whole people of this Commonwealth so united.

And further, to the end that all Dominion of Tenures and Servitudes importing Servitude and Tassallage may likewise be abolished in Scotland, Be it further Declared and Ordained by the Authority aforesaid, That all Heritors, Proprietors, and Possessors of Lands in Scotland, or the Dominions thereunto belonging, and their Heirs, shall from and after the twelfth day of April in the year of our Lord one thousand six hundred fifty and four hold their respective Lands of the respective Lord and Lords by Deed, Charter, Patent or Infeoffment, to be renewed upon the death of every Heritor, Proprietor, Possessor (as now they do) to his Heir or Heirs, by and under such yearly Rents, Bonds, and Annual Services, as are mentioned

tioned: or due by any Deeds, Patents, Charters or Enfeoffments now in being, of the respective Lands therein expressed, or by virtue thereof enjoyed without rendering, doing or performing any other Duty, Service, Vassallage or Demand whatsoever by reason or occasion of the said Lands, or any the Clauses, or Covenants in the said Deeds, Charters, Patents or Enfeoffments contained, saving what is hereafter, herein and hereby particularly expressed and declared, That is to say, Heriots where the same are due, Fines (certain where the same is already certain, and where the Fine is uncertain, reasonable Fines) upon the death of the Lord, and upon the death or alienation of the Tenant, or any of them, where the same have usually been paid, which said Fine (not being already certain) shall not at any time exceed one years value of the Lands, and also doing suite and service to such Court and Courts Baron, shall be constituted in Scotland, in such manner as is Ordained by one other Ordinance, Entituled, An Ordinance for Erecting Courts Baron in Scotland.

And be it Ordained by the Authority aforesaid, That all and every the Heritors, Proprietors, and Possessors aforesaid, and their Heirs, are and shall be from henceforth so ever discharged of all Fealty, Homage, Vassallage and Servitude, which is, or shall be pretended due from them, or any of them, unto any their Lords or Superiors whatsoever, claiming Dominion or Jurisdiction over them, by virtue of the said Patents, Charters, Deeds or Enfeoffments, and other rights thereof, or of any Clauses or Conditions therein contained, other than as is before Declared and Ordained. And that all the said Superiorities, Lordships and Jurisdictions (other than as aforesaid) shall be, and are hereby abolished, taken off, and discharged; and that all and every the said Deeds, Patents, Charters, and Enfeoffments in that behalf, be, and are hereby declared, and made so far void and null; And particularly, That all and every the Heritors, and others the persons aforesaid, and their Heirs, are and shall be so ever hereafter freed and discharged of, and from all suits, and appearing at or in any their Lords or Superiors Courts of Justiciary, Regality, Stuartry, Barony, Bapliary, Heritable Sheriffship, Heritable Admiralty, all which together with all other Offices Heritable, or so; life, are hereby abolished, and taken away; and that all and every the Heritors and persons aforesaid, and their Heirs, are and shall be so ever hereafter freed and discharged, of, and from all Military service; and personal attendance upon any their Lords or Superiors in Expeditions or Travels, and of all Casualties, of Wards, Lands formerly held of the King, or other Superiors, and of the Parriage, single and double avail thereof, non-Entries, Compositions so; Entries, and of all Rights and Casualties payable, if they be demanded, onely or upon the committing of any Clauses irritant. And that the said Heritors and persons aforesaid be now and from henceforth construed, reputed, adjudged, and declared free and acquitted thereof, and of and from all and all manner of holding suits, duties, services personal or real, and demands whatsoever, (other than is before declared and Ordained) notwithstanding the present Tenor of any their Deeds, Patents, Enfeoffments; or any Clauses, Articles or Covenants therein

Therein contained or mentioned to the contrary in any Writ: And that in three to come all and every Clauses, Conditions, Articles, and Commissions touching to the contrary hereof, shall be omitted out of all such Writs, Patents, Charters and Enfranchisements.

And bee it further Ordained, That all Forfeitures, Escheats, simple, or of life, Rent Bastard, and last Heir, which heretofore escheated, forfeited and fell to the King, as of Regality, or other Superior, shall from henceforth fall escheat, and forfeit to the Lord Protector of the Commonwealth for the time being.

Ordered by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. J. J. Clerk of the Council.

1653

## An Ordinance for Erecting Courts Baron in Scotland.

**B**EE it Declared, Established, and Ordained by his Highness the Lord Protector, by and with the advice and consent of his Council, That in every place or circuit of Land which really is, or hath commonly been called, known or reputed to be a Manor, within the Nation of Scotland, there shall be one Court, which shall be in the nature of a Court Baron, or Court of a Manor, here in England; to be holden every three weeks; which Court shall have Power, Order, and Jurisdiction of all Contracts, Debts, Promises, and Trespasses whatsoever, arising within the said Manor, or Precincts thereof; Provided that the Matter in demand exceed not the value of forty Shillings Sterling, and that in any such Action of Trespass, the Freehold or Title of the Land be not drawn into question: And it is further Declared and Ordained, That every the said Court Baron shall be held in manner following: That is to say, the Title of the Court shall be, The Court of A. B. held the day of. . . One thousand six hundred . . . Dukes of the said Court, and the homage or Dukes to be named in the entry then after three O'yea made, the Dukes, or their Clerks, or Steward shall say, If any man will be assigned, or enter any Plaint, let them come in: and they shall be heard; then the Jury are to be impannelled and sworn, and then a Verdict charge is to be given concerning the several matters and things to be don there; and after presentment and enquiry made, the Dukes shall proceed in the several matters presented, and give order and relief, as the case shall require, and make execution by Attachment upon the goods of the party within that Manor.

And it is hereby further Declared and Ordained, That the Dukes in every the said Court Baron, may from time to time, as there shall bee occasion, make by laws for the publick Weal, Rule and Government of the persons within such Manors, and all and every such by laws shall be binding to every party within the Manors: And the said Dukes shall have Power and Authority to amerce such persons as transgress any of the said by laws, and may give warrant to the

Warrant of the Shans to distrain for such Amercement by Attaches  
 ment upon the Goods of the party offending. Provided that such  
 by-laws be not extended to bind the Inheritance of any person  
 who is not party to the same and agree's not therewith.

Wednesday, April 13. 1654.

Ordered by His Highness the Lord Protector, and his Counsel, That  
 this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

## An Ordinance for settling the Estates of several excepted persons in Scotland in Trustees to the uses herein expressed.

**W**hereas by an Ordinance, Entituled, An Ordinance  
 of Pardon and Grace to the People of Scotland, to  
 divers persons; and their Estates are excepted and re-  
 served out of the said Ordinance, and all benefit there-  
 of, and yet nevertheless the Estates of the said several persons are  
 thereby left subject to divers Debts, Charges and Incumbrances,  
 and likewise several propertions of Lands, Tenements and Heredi-  
 taments are by the said Ordinance appointed to be settled, for a  
 Provision of the Widows and Children of others of the said persons  
 in such sort, and under such Limitations, Provisions and Commis-  
 sions, as are expressed and contained in the said Ordinance; And  
 whereas also the Parliament hath by several Votes and Orders giv-  
 ven unto several persons, for services done to this Commonwealth  
 divers Lands, Tenements and Hereditaments out of the said Com-  
 monwealths Lands in Scotland. For the more due and speedy payment  
 and satisfaction of the said Debts, Charges and Incumbrances and  
 settling the Premises so appointed by the said Ordinance, for the  
 provision of the said Widows and Children: And for the better con-  
 firmation and assurance of the Premises so given by the Parla-  
 ment unto the said respective persons, Be it Ordained by his High-  
 ness the Lord Protector, by and with the advice and consent of his  
 Counsel, and it is Ordained by the Authority aforesaid, That all  
 and every the Honors, Manors, Castles, Houses, Villages, For-  
 rests, Chales, Parks, Lands, Tenements and Hereditaments in  
 Scotland, which upon the eighteenth of April, One thousand six  
 hundred sixty and eight, or at any time since, did belong unto James  
 late Duke of Hamilton, William late Duke of Hamilton, John Earl  
 of Crawford-Lindsay, James Earl of Calender, Earl  
Marshall,  
Earl of Kelley, John Earl of Lowderdail,  
 John Earl of Lowdown, Earl of Seaforth,  
 Earl of Arhol, Viscount Knamure, Lord  
Lorn, eldest son of the Marquess of Argyle, Lord  
Machin, eldest son of the Earl of Lowdown,  
 Lord Montgomery, eldest son of the Earl of Elington, George  
 Lord Spynie, Lord Cranston, Lord Sinclair, Tho-  
 mas Dalryell, late Major General of the Foot in the Scottish Army.  
John



John Middleton, late Lieutenant General of the Host in the Scottish Army, James Viscount Newburgh, Lord of Galloway, Lord Bargany, Sir Thomas Thomson, James Edmondson, Laird of Womack, Lord Napier, and William Earl of Glencarn, and all Royalties, Privileges, Franchises, Immunities, Rents and appurtenances, to the said Honors, Honors, Castles, Houses, Manors, Forests, Chases, Parks, and Lands, or any of them in Scotland belonging or appertaining, which on the said eighteenth day of April one thousand six hundred forty and eight, or at any time since were lawfully used, or enjoyed with them, or any of them, as part or parcel thereof, be, and are hereby vested and set in, and assigned and deemed to be, and are hereby in the real and actual possession and seisin of Sir John Hope of Craighall, William Lockard the younger Esq; Richard Saltonstall, and Edward Ellis, Commissioners at Leith, Lieutenant Colonel Wilks, Deputy Governor of Leith, David Barkley Esq; John Harper Advocate, and the Surbidos and Surbidos of them, their Heirs and Assigns, for the uses and purposes, hereafter in and by this Ordinance expressed, until the sale, disposition, and conveyance thereof, or of such part thereof as shall be requisite for the purposes aforesaid, shall be made in such manner, as is herein directed, and the Remainder to the use of his Highness the Lord Protector, and his Successors for the benefit of the Commonwealth.

And be it further Ordained by the Authority aforesaid, That the said Sir John Hope and the rest of the Trustees before named, the Surbidos and Surbidos of them, shall cause a true and exact survey to be taken and returned unto them, of all and every the Estates of the persons aforesaid, at the time aforesaid, and of the yearly value thereof respectively, as they were worth to be let in the year One thousand six hundred forty and nine, and also return to be made unto them of all and every the Claims of any Estate, Right, Title, or Interest of any other person and persons in, or to any the Premises, and of all Debts, Charges, and Incumbrances, charges, or chargeable upon the same, or any part thereof respectively, and which shall be allowed by the Commissioners named in the said Ordinance of Pardon and Grace to the People of Scotland, for determining Claims according to the qualifications and provisions contained in the said Ordinance, and thereupon in the first place, in rate the respective Lands of such person excepted, be sufficient to satisfy all the Debts, Charges, and Incumbrances so allowed, as aforesaid, and also the provision made by the said Ordinance for the wife, Widow, or children of such person. That then the said Sir John Hope, and the rest of the Trustees before named, or any four of them, shall do and set out unto every of the Creditors of such person so much of the said Lands, belonging unto such excepted person at the rate of thirty years purchase at the least, as shall be sufficient to satisfy such Debt, Charge and Incumbrance, and to convey the Inheritance of the said Land so set out unto such Creditor and Creditors, and his, her, or their Heirs respectively in satisfaction of the said debt, charge, or Incumbrance, and thereupon to take up the security, and that such Creditor and Creditors, his and their Heirs, and Assigns, shall

shall from henceforth have, hold and enjoy all and every the Lands, and Premises so let out and conveyed, according to such conveyance freed and discharged, in manner as is herein provided, of and from all and all manner of Bargains, Sales, Gifts, Grants, Portgages, Judgments, Decrees, Joinders, Writs, or other Inconveniences, made, committed, or done by such person so excepted respectively, or any claiming under him, since the eighteenth day of April. One thousand six hundred forty and eight. And that the said Trustes shall convey and assure unto the wife, Child or Children of such excepted person respectively, Lands, Tenements or Hereditaments of the chief yearly value appointed unto such Wife, Child or Children by the said Ordinance respectively, under such yearly Rent and Rents, and in such manner, as is in and by the said Ordinance limited and appointed.

And it is further Ordained, That the said Trustes herein named, or any four of them, shall convey and assure unto the respective persons to whom the late Parliament hath by Wote or Order of Parliament given any Lands in Scotland, and to their Heirs and Assigns, the Lands, Tenements and Hereditaments, which have been already allotted and set out unto them upon Barter by the Commissioners for Requisitiones in Scotland, out of the Estates of any the persons so excepted as aforesaid, in pursuance of such Wote or Order, and which have been by them or their Tenants or Assigns possessed and enjoyed, according to such barter and allotment, in performance of the said respective Wotes and Orders under the Rents, Conditions and Limitations in such Wote or Order expressed (if any be) to be by them enjoyed accordingly.

Provided also, That in case the Lands, Tenements, and Hereditaments of such excepted person be not sufficient to satisfy the respective Debts, Charges and Incumbrances of such respective person, and also to make up the full provision aforesaid, for his Wife, Child or Children, that then the said Trustes, or any four of them, be authorized and authorized, and are hereby empowered and authorized to distribute all and every the Lands, Tenements, and Hereditaments of every such excepted person amongst the said Creditors, and the Wife, Child or Children of such person, so far as the same shall extend proportionably, every of them bearing a proportionable abatement of what the Premises shall fall short to satisfaction, and to convey and assure the same so proportioned accordingly.

Provided also, That in case any of the said persons unto whom the Parliament hath given Lands in Scotland, be already seized by the said Commissioners in any of the Lands or Estate of such excepted person, whose Lands shall not be sufficient to satisfy his Debts, and make provision for his Wife and Children, as aforesaid, that nevertheless the said Commissioners shall convey and assure unto such person and persons, and his and their Heirs, the Lands so allotted and set out unto him as aforesaid, and in lieu thereof shall allot and set forth Lands of the same value, or to such value as the Lands of such excepted person shall fall short as aforesaid, so as the same exceed not the full value of the Premises so allotted

and set out by the said Commissioners for Sequestrations unto such person, out of the Lands and Estates of some either of the persons excepted in the said Ordinance, of whose Estate there shall bee a remainder after the Debts, Charges and Incumbrances satisfied and provision made for his Wife and Children, as aforesaid, and shall convey the same unto the Creditors in such sort, as is before Directed and Ordained.

Provided also, That if the said Commissioners for Sequestrations have allotted and set out unto any of the said persons to whom the Parliament gave Lands, as aforesaid, any Lands, Tenements or Hereditaments of any person or persons not excepted by the said Ordinance from Pardon, that then the said Trustees or any four of them, bee impowred and authorized to set out, convey and assure unto such person and persons, and his and their Heirs, out of the Estate and Estates of one or more of the said excepted persons, which shall remain after the Debts, Charges and Incumbrances charged or chargeable upon such Estate, and such provision for the Wife, Child, or Children of such excepted person so satisfied and made as aforesaid, in lieu of the Lands so set out and allotted by the said Commissioners for Sequestrations unto such person and persons as aforesaid. And for the defraying of the forborne charges in and about selling the Premises, Be it Ordained by the Authority aforesaid, That all and every person and persons who shall bring unto the Commissioners herein named, any Claim of any Estate, Title, Interest, Debt, Charge, or Incumbrance to, out of, or upon any of the Premises hereby vested in the said Commissioners, and a Certificate of the allowance thereof under the hands of the Commissioners for allowing Claims, shall, before any allotment or conveyance shall bee made unto him, her or them, by force of this Ordinance pay in ready Money unto such person or persons as the Commissioners herein named shall appoint for that purpose, three pence in the pound sterling, according to the value of such Estate, Title, Interest, Debt, Charge or Incumbrance, so claimed and allowed. And in case the Sum so paid in at the rate aforesaid, shall not bee sufficient to defray the whole charge which shall arise by the surveying, allotting, and selling of the Estate of such excepted person in manner as aforesaid, that then it shall bee lawful to any of the said Commissioners herein named, or any four of them, to demand and receive of each of the said persons so claiming, such further Sum and Sums of Money, as his proportionable part of the said Charge shall amount unto, which the said respective Claimers are hereby required to pay unto such person and persons so appointed by the Commissioners aforesaid. All and every which Sum and Sums of Money so paid in shall bee much and paid by the Command of the said Commissioners or any four of them, for defraying and defraying the said Charges as they shall think fit. And the said Commissioners herein named are hereby authorized and impowred to appoint Surveysors, if they shall thinke it necessary, and also Clerks, and other necessary Officers for this Service, and to administer an Oath unto such Surveysors as they shall thinke necessary



to employ for the better discharge of their duty herein, and also to allow such sitting salaries as they shall think fit. And it is further provided that this shall not extend to charge any Wife, Child or Children of the said exempted persons, nor any person to whom any Lands have been given by the Parliament with the payment of any Sum of Money or Money towards the said Charge.

Witness my hand at London, this 12th day of April, 1654.

Ordered by His Highness, the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

**An Ordinance for further Suspending the Proceedings of the Judges named in an Act, Entituled, An Act for the relief of Creditors and poor Prisoners.**

**W**HEREAS in regard of many doubts arising upon an Act of the late Parliament, for the Relief of Creditors and poor Prisoners, and several inconveniences and mischiefs like to grow from thence, not onely to the Creditors and Prisoners themselves, but to others other persons, without some explanation and further Direction to bee given to the federal and respective Judges authorized in and by the said Act: It is by an Ordinance of the 21 of March last Ordained, That the said federal and respective Judges should not proceed to sale or disposition, nor otherwise interfere in the execution of the said Act, or of any the Powers and Authorities given by the same until the twentieth day of April instant: And whereas the way for prevention of those evils, and the better accomplishing the ends intended by the said Act, is now under consideration, which will necessarily require some longer time to perfect the same: Be it Ordained by His Highness the Lord Protector, by and with the consent of his Council, That the said federal and respective Judges mentioned in the said Act, or any of them, shall not proceed to the sale or disposition of any the Estates real or personal, of any of the said prisoners, or of any other person or persons whatsoever, mentioned or intended in or by the said Act, nor shall otherwise interfere in the execution of the said Act, or of any the Powers or Authorities given by the same until the fifteenth day of May next coming: And be it further Ordained, That all Acts and Things to bee done by the said federal and respective Judges, or any of them, by virtue, color, or pretence of the said Act from henceforth and before the said fifteenth day of May next ensuing (saving always in such cases, and according to such limitations as by the said Ordinance they had power to do, before the said twentieth day of April) shall bee and are hereby declared to bee utterly void and none.

Witness my hand at London, this 12th day of April, 1654.  
Ordered by His Highness the Lord Protector and the Council, That this Ordinance bee forthwith Printed and Published.

Henry Scobell, Clerk of the Council.



## By the Counsel at White-Hall.

**W**heras a Peace is made, concluded, and ratified, between his Highness the Lord Protector, and the United General of the United Provinces of the Low-Countries; And whereas it is agreed, That publication thereof shall be made on both parts on the coming next, being the six and twentieth day of this instant April; From which time, resolution is to be made of all ships that shall be taken on either side, after such dates, within these Seas; And in all other places on this side the Cape of St. Vincent, after six weeks; And from thence, within the Mediterranean Sea, and to the Equinoctial Line, after ten weeks; And beyond the Equinoctial, after the space of eight months: Which several spaces were so limited, to the intent, convenient time might be allowed for notice to be given of the said Peace, in all places where it shall be necessary; The Counsel have therefore thought fit hereby to give notice thereof to the several Ports of this Commonwealth, and to all others, whom it may concern, within the Dominions thereof; To the end, they may have warning, to provide for their own safety, and not expose their Ships to danger within the several and respective times aforesaid.

Saturday, April 22. 1654.

Ordered by the Counsel, That this be forthwith Printed and Published.

W. Jessop Clerk of the Counsel.

## By the Lord Protector.

A Proclamation of the Peace made between this Commonwealth, and that of the United Provinces of the Netherlands.

**H**is Highness the Lord Protector of the Commonwealth of England, Scotland and Ireland, considering how necessary it is, not only to preserve Peace and quiet at home, but, as far as in him lies, to live in Amity and Friendship with his Neighbours, hath by the Advice of His most Honourable Council, made and concluded a Peace, Union and Confederation in continuance for ever, between this Commonwealth of the one part, and that of the United Provinces of the Low-Countries of the other part, their Lands, Countries, Cities, Towns, Dominions, Fortresses, Places and People, by Sea, Land, Fresh waters, and elsewhere; By the which Peace it is agreed, That all Enmity, Hostility, Bitterness

and War between the said Common-wealths, their People and Subjects shall cease, and all injuries and wrongs whatsoever done since the 1<sup>st</sup> of May, One thousand six hundred fifty two, shall cease, and bee forgotten, except such Depredations as shall bee committed by either side in these Seas after twelv'd daies, from the Date of these Presents, and in all other places on this side the Cape of St. Vincent, after six weekes; And from thence, within the Mediterranean Sea, and to the Equinoctial Line, after ten weekes, and beyond the Equinoctial Line, after the space of eight Moneths, or immediately after sufficient notice of the said Peace given in those places. And that the People and Inhabitants of each party respectively, of what condition or quality soever they be, shall treat each other with love and friendship, and may freely and securely come into, and passe through each others Countreies, Townes, Villages and Pearches, and there stay and abide, and from thence depart againe at their pleasure, without any hinderance, and molestation, and likewise trade and have commerce, and generally do, use, and exercise all other things (observing the Laws and Customs of each place respectively) as freely, fully and securely as they might have done in time of Peace. And direct all persons whatsoever in these Nations of England, Scotland, and Ireland, are to take notice, and conform themselves accordingly.

Given at Whitehall this 26 of April, 1654. O. P.

Printed and Published by His Highness's special Commandment.

By the Lord Protector.

A Proclamation of His Highness concerning a Cessation of all Acts of Hostility between the Commonwealth of England, and that of the United Provinces, and their respective People, and the restitution of all things taken and seized upon by either Party after the fourth of this instant May.

**O**LIVER Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging. Whereas the Commissioners appointed by Us to treat with the Ambassadors Extraordinary of the United Provinces, and the said Ambassadors, by way of Explanation of the third of those Articles of Peace, lately concluded between this Commonwealth, and that of the United Netherlands, and for removing all questions and differences which may arise therefrom, have agreed and concluded the following Article, viz. That whereas in the third of those Articles of Peace, Union and Confederation made, established, and

and promulged between the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Lords the States General of the united Provinces, It is agreed, That all Injuries, Charges and Damages, which either party hath sustained by the other since the 1<sup>st</sup> of May in the year, one thousand six hundred fifty two, shall be taken away and forgotten, in such manner, as that hereafter neither party shall pretend any matter against the other, for, or upon occasion of any the aforesaid Injuries, Charges and Damages, but that there shall bee a perfect abolition of all and every of them until this present day. And all Actions for the same shall bee held and reputed void and null, excepting such depredations as shall bee committed by either side in these Seas after the space of twelve days, and in all other places on this side the Cape of St. Vincent, after six weeks, and from thence within the Mediterranean Sea, and to the Equinoctial Line after ten weeks, and beyond the Equinoctial Line, after the space of eight Moneths, or immediately after sufficient notice of the said Peace given in those places. And whereas certain questions may possibly arise about the forehearsed words which may minister occasion of debates and disputes, The said Lord Protector, and the said States General, to the end all manner of controverſie and difference may be removed, which might arise by reason of any thing in the aforesaid Article contained, have unanimously accorded and agreed, and do by these presents publish and declare to all and singular their People and Subjects respectively, that immediately after Publication of the Treaty of Peace, which is already done, all Acts of Hostility shall immediately cease in all places expressed in the said Article, and in all others whereſoever, And that all depredations, damages and injuries which shall be done or committed by one party against the other after the fourth day of this instant May in all places whatever, mentioned in the ſoſeſaid Article, or elsewhere, as well on this ſide the Line as beyond, shall be accounted for. And all things taken or seized after the abovesaid fourth of May, shall be restored without any form of Process, as also damages growing by occasion thereof. And to the end this Agreement and Article may be the better known, both parties shall publish the same within their respective Territories and Dominions, and straitly charge and command as well their Ships of War, as others whether in Port, or at Sea, to observe the same.

In witness whereof as well the Lords Commissioners of His Highness, as the Ambassadors Extraordinary of the States General, have signed these presents with their own hands. Done at Westminster the 28 of April, Old stile, in the year, 1654.

H. Laurence Pref.

H. Beverningck.

Gil. Pickering.

Wil. Nicupoort.

E. Mountagu.

Alar. P. Jongestall.

Wal. Strickland.

P

Whereſoſe



Wherefore we having considered what is agreed as aforesaid, have confirmed and ratified, as we do confirm and ratifie the same by these presents which we have caused to be published, that all persons concerned therein may take notice thereof. And we do hereby straitly charge and require all the Ships of War, and others, either belonging to the State or to any particular persons, set forth upon private Commissions, or otherwise, to observe the said Agreement. And to the end none may pretend ignorance herein, The Commissioners of the Admiralty are hereby required to give effectual notice thereof to all the Ships of War of this State, either at Sea, or in Port, within these Dominions or elsewhere. And the Judges of the High Court of Admiralty are also by virtue of these presents, forthwith to call in upon their several Securities given in that Court, all such Ships as have been set forth upon private Commissions against the United Provinces, or the People thereof.

Given at Whitehall this first of May, in the year, 1654.

Articles of Peace, Union and Conseration, Concluded and Agreed between his Highness OLIVER Lord Protector of the Commonwealth of *England, Scotland, and Ireland*, and the Dominions thereto belonging: And the Lords the States General of the United Provinces of the *Netherlands*, In a Treaty at *Westminster* bearing date the first of *April* old stile, in the year of our Lord God, 1654.

I.

It is agreed, concluded, and accorded, That from this day forward there shall be a true, firm and inviolable Peace, more sincere Friendship; and nearer Alliance, Union and Conseration than heretofore, betwixt the Commonwealth of *England*, and the States General of the United Provinces of the *Netherlands*, and the respective Lands, Countries and Cities, without distinction of Places, under their obedience, and the People and Inhabitants of them, respectively of what quality and condition soever they be.

II.

Item, Agreed, That from henceforth all Enmity, Hostility, Discord, and War betwixt the said two Commonwealths, their People and Subjects, shall cease, and each party shall hereafter abstain from all Offences, Spoils, Depredations, and Injuries by Sea, Land, and Fresh-waters in all their respective Lands, Countries, Dominions, Places, or Governments whatsoever.

III.

Item, That all Offences, Injuries, Charges and Damgages, which either party hath sustained by the other since the 3 of May, in the year one thousand six hundred fifty two, shall be taken away and forgotten in such manner as that hereafter neither party shall pretend any matter against the other so or upon occasion of any the aforesaid Offences, Injuries, Charges and Damgages; But that there shall be a perfect abolition of all and every of them until this present day. And all Actions for the same be held and reputed void and null.

IV.

That all Prisoners of both sides of what Condition, or in what soever Place they be, shall be set at liberty, without ransom or consideration given for them.

That the two Commonwealths shall remain confederate friends, joyned and allyed together for the defence and Preservation of the Liberties and Freedom of the People of each against all whomsoever, who shall attempt the Disturbance of either State by Sea or Land, or be declared Enemies to the Freedom and Liberty of the People living under either of the said Governments.

That neither of the Commonwealths shall make, do, act, treat of, or attempt any thing against other, or the People of either, in any place either at Land or Sea, or in any the Havens, Creeks, Provinces, or Frithwaters of either, upon any occasion whatsoever. Nor that either of them, or the People of either give, yield, or afford, any aid, counsel, favor, or assent that any thing shall be done, treated of, or attempted by any other, whomsoever, to the injury and wrong of the other, or the People of either, but shall expressly and with effect contradict, gainsay, oppose, and really hinder all whomsoever abiding or dwelling within either of the Commonwealths respectively, who shall be under their power that act, do, treat of, or attempt at any thing against either of the Commonwealths.

That neither of the Commonwealths, or the People abiding, inhabiting, or dwelling within either of them respectively, or within their power, shall yield give, or afford any aid counsel or favor to the Enemies or Rebels of either, but shall expressly, really, and with effect hinder any inhabiting, dwelling or abiding within either of them, or within their power, from giving any aid or assistance unto such Enemies or Rebels, by Pen, Shipping, Arms, Ammunition, Money, Victuals, or otherwise by Sea or Land; and all such Ships, Arms, Ammunition, Money, Goods, or Victuals, of or belonging to any person or persons whatsoever, that shall be provided, employed or made use of, contrary to the intent of this Article, shall be confiscated and forfeited to the respective Commonwealths. And the person or persons who shall willingly and willingly do, attempt, counsel, or be employed therein, shall be declared Enemies to both Commonwealths, and shall suffer the pains and penalties of Treason within the Commonwealth where the Offence shall be committed. And to the end there may be a specification made of what Goods shall be deemed, prohibit, or contraband, Commissioners may in convenient time be appointed to determine herein. Provided in the mean time that this extend not to the impeachment of any thing contained in the present Article.

That the two Commonwealths shall truly and sincerely assist each other, as need shall require, against the Rebels and Enemies of either, at Sea and Land, with Pen and Ships, at the costs and expences of the party requiring the same, in such proportion & manner

and upon such Terms and Conditions as the two States shall agree, and the present occasion require.

## IX.

That neither of the Commonwealths, or the People of either shall receive into any of their Jurisdictions, Countries, Lands, Ports, Creeks, or Precincts, any person or persons, that are or shall be declared by either of the Commonwealths to be Enemies, Rebels, or Fugitives of the other; nor shall give, yield or afford to any such declared Enemy, Rebel or Fugitive within the places aforesaid, or other where, though out of their Territories, Countries, Lands, Ports, Creeks, or Precincts, any aid, counsel, Lodging, Entertainment, Soldiers, Ships, Money, Arms, Ammunition or Victuals. nor shall either of the States permit such Enemies, Rebels or Fugitives to be received by any person or persons whatsoever into their Jurisdictions, Countries, Lands, Ports, Creeks, or Precincts, nor shall suffer any Aid, Counsel Lodging, Entertainment, Soldiers, Ships, Money, Arms, Ammunition, or Victuals to be given, yielded or afforded unto such Enemies, Rebels or Fugitives, but shall expressly and effectually oppose, withstand, and really hinder the same.

## X.

Item, It is agreed, That if either of the said Commonwealths shall by their publick and Authentick Letters, give notice, signify, or declare to the other Commonwealth any person or persons, to be, and have been their Enemy or Enemies, Rebel or Rebels, Fugitive or Fugitives; and that they are, or reside within the others Jurisdictions, Territories, Dominions, Lands, Ports, or Precincts, or therein be hid, or shelter themselves; Then that Commonwealth which shall receive such Letters, or unto which such notice shall be given, and declaration made concerning such Rebels, Enemies or Fugitives, shall within the space of twenty eight days to be reckoned immediately from the day of the aforesaid notice given, charge and command such Enemy or Enemies, Rebel or Rebels, Fugitive or Fugitives, to withdraw and depart out of their Jurisdictions, Territories, Dominions, Lands, and Precincts, and every of them. And if any such Enemy, Rebel, or Fugitive shall not withdraw and depart, as aforesaid, within the space of fifteen days after such charge and command given, That hee or they shall be punished with death and loss of Land and Goods.

## XI.

That no Rebel or Declared Enemy of the Commonwealth of England, shall be received into any of the Castles, Towns, Ports, Creeks, or other places Privileged, or not Privileged which any person of what degree and quality soever hee be, or shall be, hath, or hereafter shall have and possess by any Title whatsoever, within the Dominions and Jurisdictions of the United Provinces; nor shall be suffered by any person of what degree and quality soever to be received thereinto, or abide therein. Neither shall the Lords the States General of the United Provinces, permit or suffer in any of the places aforesaid, any assistance, counsel, or favours, in Ships, Men, Money, Victuals, or in any other manner to be given by any person,



person, of what degree and quality soever to any such Rebel, or declared Enemy, but shall openly, and expressly prohibite and hinder the same. And if any person or persons of what degree and quality soever living or remaining within the Jurisdictions of the United Provinces, or under their power, do to the contrary hereof. Then all and every such person and persons so doing, as aforesaid, shall for their respective lides, forfeit and lose all such Castles, Towns, Villages, Lands, and other places, which they or any of them shall at such time have, or pretend to have, by any Title whatsoever. And likewise that no Rebel or declared Enemy of the States of the united Provinces shall be received into any of the Castles, Towns, Ports, or other places Privileged; or not Privileged, which any person or persons of what degree or quality soever he or they be, have or shall have, hold or possess within the Commonwealth of England, or Dominions thereof, by any Title whatsoever; nor be suffered by any person or persons to be received thereinto or abide therein. Neither shall the Commonwealth of England, permit or suffer, in any of the places aforesaid, any Counsel, Assistance or favour in Ships, Men, Money, Victuals, or in any other manner to be given by any such person or persons of what degree or quality soever he or they be, to any such Rebel or declared Enemy, but shall openly and expressly prohibite and hinder the same. And if any of the people of the Commonwealth of England, or under their power, shall do or attempt any thing to the contrary hereof: That every such person or persons, shall for their respective lides forfeit and lose all such Castles, Towns, Villages, Lands and other places, which they or any of them shall at such time have or pretend to have, by any Title whatsoever.

## XII.

That the Commonwealth of England, and the People and Inhabitants thereof, and the said united Provinces, and the Subjects, and Inhabitants thereof, of what quality or condition soever they be, shall be bound to treat each other on both sides with all Love and Friendship; That they may come by Water or by Land, into each others Lands, Towns, or Villages, walled or unwalled, fortified or unfortified; their Havens, and all their respective Dominions in Europe with freedom and security, and in them remain and continue as long as they please, and there without hinderance buy Victuals for their necessary use. And may also Trade and Traffick, and have commerce in any Goods or Commodities they please, and the same bring in and carry out at their pleasures, paying always the Customs that shall be settled, and saving always all and singular the Laws and Ordinances of either Commonwealth respectively. Yet so that the People and Inhabitants of either, using commerce in the Countries and Dominions each of other, shall not be constrained to pay any greater Customs, Tolls, or Tributes then according to such proportion as other Strangers exercising commerce in the same places pay.

## XIII.

That the Ships and Vessels of the said United Provinces, as well Men of War as others meeting with any of the Ships of War of this Commonwealth in the British Seas shall strike their Flag



flag and lower their Top-sail in such manner as hath ever been at any time practised heretofore under any former Government.

## XIV.

Item, For the greater freedom of Commerce and Navigation; it is agreed, That neither of the said Commonwealths shall receive into any of their Havens, Cities or Towns, or permit, or suffer that any of the People or Inhabitants of either of them respectively do receive, keep, harbor, or give any assistance or relief unto any Pirates or Sea-Robbers, but shall cause both the said Pirates and Robbers, and also their Receivers, Concealers and Assistants to be prosecuted, apprehended, and condignly punished, for terror to others. And all Ships, Goods and Merchandise, by them Piratically taken, and brought into the Ports of either State, that shall be found in being; yea, though they have been sold, shall be restored to the right Owners, or made good to them; or such as have their Letters of Attorney or Procuration to claim the same; due proof of the Property being first made in the Court of Admiralty according to Law.

## XV.

That if either the Commonwealths of England, or the United Provinces of the Low-Countries shall hereafter make any Treaty of Amity, Alliance or Friendship with any other Commonwealth Princes, or States, the one shall comprehend the other, and the Dominions therein, if they shall desire to be comprehended: And of all such Treaties each shall be bound to give notice to the other.

## XVI.

That if it shall happen that during the Amity, Confederation and Alliance, any thing shall be acted or attempted by any of the People or Inhabitants of either of the said Parties against this Treaty, or any part thereof, either by Land or Sea, or other Waters, this Amity, Confederation and Alliance between the said Commonwealths shall not be hereby interrupted or broken off; but shall continue and remain in its full and whole power, onely in such case those particular persons, who have offended against the said Treaty, shall be punished and no other. And that justice shall be done, and satisfaction made to all persons concerned within twelve months after demand thereof made, upon all such persons who shall have done any thing against this Treaty, by Land or Sea, or other waters in any part of Europe, or any place within the Straights of Gibraltar, or in America, or upon the Coasts of Africa, or in any Lands, Islands, Seas, Creeks, Bays, Rivers, or any other places on this side the Cape of Good-Hope. And in all places whatsoever as aforesaid, beyond the said Cape, within eighteen months next after demand of Justice shall so as aforesaid be made. And in case the persons so as aforesaid offending, shall not appear and submit themselves to justice, and make satisfaction within the terms respectively here before limited, the said persons shall be declared enemies to both Commonwealths, and their estates, goods, and effects whatsoever, shall be confiscated and employed to a due and full satisfaction for the wrongs by them done, and their persons be liable to such further punishment,

ment, when they shall come within the power of either State, as the quality of their offence shall deserve.

## XVII.

That the People of the Commonwealth of England and the Dominions thereof, may freely unmolested, and securely travel in and through the Countries, and singular the Dominions of the united Provinces in Europe, by land or by water, to any place in them, or beyond them, and pass by any of their Towns, Castles, or Forts in any places within the Netherlands whatsoever, or elsewhere, in any of their Dominions in Europe, to follow their Traffick in all places there: as also their Factors and Servants armed or unarmed; but if armed, not above forty men in company, as well without as with their Goods and Merchandizes whether they please. And likewise the People and Inhabitants of the united Provinces of the Netherlands may enjoy the same liberties in all the Dominions of the Commonwealth of England in Europe. They and either of them observing and conforming in such their Trade and Traffick to the Laws and Ordinances of each Commonwealth respectively.

## XVIII.

Item, Agreed, That if the Merchant Ships belonging to the People and Subjects of one or the other side, shall through tempest, Pirates, or any other necessity, be driven into Port within the Dominions of either, it shall be free for them to depart thence securely with their Ships and Merchandize, without payment of any Customs or other duties, provided they break not bulk, or expose any thing to sale, nor shall they be subjected to any trouble or visitation, so be it they receive not aboard any persons or goods, nor shall do any thing contrary to the Laws, Statutes and Customs of that place whither they come into Port as aforesaid.

## XIX.

That the Merchants, Masters, Pilots, or Mariners of either Commonwealth, their Ships, Goods, Wares, and Merchandizes, shall not be seized or arrested in the Lands, Ports, Havens, and Rivers of the other, by virtue of any general or particular Command, for any warlike or other service, except upon inevitable necessity, and upon just satisfaction for the same, provided that hereby shall not be excluded the Arrests and seizures in the ordinary way of Law and justice of each Commonwealth respectively.

## XX.

That the Merchants on both sides their Factors and Servants, as also the Shipmasters and other Seafaring men, may as well traveling and returning by Ships over the Seas and other Waters, as in the Havens of each other, and going on board, carry and use for the defence of themselves and their Goods, all sorts of Arms for defence and offence; But being come to their several Lodgings or Inns, they shall lay down their Arms there, and so leave them till they go again to the Ship, or on board.

## XXI.

That the men of War of either Commonwealth, meeting or overtaking any Merchant Ship or at Sea, belonging to the other, or to the People or Inhabitants thereof, holding both one course,

or going both one way, shall be bound, so long as they keep one course together, to take them under their protection, and to defend them against all and every that shall attempt upon them.

## X XII.

That if any Ship or Ships of the People or Inhabitants of either Commonwealth, or of a River, shall be taken in the Havens of either by any third party, being none of the People or Inhabitants of either Commonwealth; They, in or from whose Havens and Liberties the said Ships shall be taken, shall be bound together with the other party, to endeavour that the said taken Ship or Ships may be followed, brought back, and restored to the Owners, but all at the charges of the proprietors or interested.

## X XIII.

That Deachers and other Officers of that nature, on both parts, shall, in execution of their Offices, regulate themselves according to the Laws of each Commonwealth respectively, and shall not leavely or take more than they are allowed by their Commission or Instructions.

## X XIV.

That in case any wrong or injury be done by either Commonwealth, or by the People or Inhabitants thereof, against the People or Inhabitants of the other, either against any the Articles of this Treaty, or against Common right, there shall yet no Letters of Reprials, Park or Counter-mark, be granted by the one or the other Commonwealth, till first Justice be there sought in the ordinary course of Law; and in case that Justice be there refused or delayed, then, that Demand be made thereof from the supreme Power of the Commonwealth, whose People or Inhabitants have suffered wrong, or from such as the supreme Power shall depute, to that Commonwealth where Justice is as aforesaid denied, or delayed, or to such Power as shall be by them appointed to receive such demands, that all such differences may be composed amicably, or in the ordinary course of Law. But if there shall be yet delay, and that Justice be not done, nor satisfaction given within three Moneths after such demand made, that then Letters of Reprials, Park, or Counter-mark may be granted.

## X XV.

That all persons on either side that shall go out to Sea upon particular Commissions shall be bound before they take out their Commissions to put in good and sufficient Security by responsible Persons not of the Ships Company, before the Judges of the Court whence the said Commission is issued, that they shall do no wrong or injury to the People or Inhabitants of either side.

## X XVI.

That the People of either side shall have free access to each others Ports and may there stay and thence depart not onely with their Merchants Ships and such as are laden, but also with their Ships of War, whether belonging to the State or to such as have obtained particular Commissions, whither they shall arrive either by stress of weather, or to avoid the danger of the Sea, or for repairing their Ships, or for provision of victuals, so be it they  
ercad



exceed not the number of eight Ships of War when they com in of their own accord, nor that they continue or make stay in the Havens, or about the Ports, longer than for the reparation of their Ships, buying in of victuals, or for provision of other necessaries. And whensoever any greater number of Ships of War, than is above specified, shall have occasion of access into those Ports, then shall it not bee lawful for them to make any entrance, without first obtaining leave for this purpose from those to whom the said Ports belong, unless they bee constrained by weather, or any other force or necessity for avoiding the danger of the Sea. And when it shall so happen, they shall presently make known the cause of their coming to the Governour or chief Magistrate of the place, and shall make no longer stay there then the Governour or chief Magistrate shall permit, and during their stay in those Ports they shall commit no hostile Act, nor do any thing to the prejudice of the said Ports.

## XXVII.

That the Lords the States General of the United Provinces shall take care that Justice bee don upon those who were Authors or Abettors of the Murder committed upon the English in Amboyna, as the Common-wealth of England was pleased to qualifie it, if any of them bee yet alive.

## XXVIII.

Whereas certain English Ships and Goods have been seized and detained within the Dominions of the King of Denmark, since the 18. day of May in the year 1652. it is on both sides concluded, accorded and agreed, and the Lords the States General have obliged themselves, as they also do by these presents, That restitution shall bee made of all and singular the English Ships and Goods detained as aforesaid, and remaining yet in Specie; together with the true and just price of such as are sold, imbezled, or otherwise disposed of, within fourteen daies after the arrival of the Merchants and Masters interested therein, or their Assigns, for receiving of them. And also that Damages bee given for the losses sustained by the English, by reason of the said detention; according to what shall bee arbitrated and awarded by Edward Winslo, James Russel, John Beck, William Vander Cruyssen, Arbitrators indifferently chosen, as well on the part of the Lord Protector, as the said States General (the Form or Instrument of which Arbitration is already agreed upon) to examine and determine the demands of the Merchants, Masters and Owners, to whom the said Ships, Goods, and Damages appertain. Which Arbitrators are to meet at Goldsmith's-Hall here in London, the 27. of June next, old Style, or sooner if it may be; and shall the same day make solemn Oath before the Judges of the High Court of Admiraltie of England, that they will proceed without respect or relation had to either State, or any particular Interest whatsoever. And moreover, the aforesaid Arbitrators shall from the first day of August next, unless they agree upon sentence sooner, be shut up in a Chamber by themselves, without Fire, Candle, Meat, Drink, or any other Refreshment,

ment, till such time as they com to an Agreement concerning the Matters referred to them: And the Sentence which they shall award shall bee obligatorie to both Parties. And the States General of the United Provinces do firmly oblige themselves by these Presents, to execute and perform the same; as also, to pay such summe of Moneys here at London, as the said Arbitrators shall assigne to bee paid, for the use of the said Owners, to such Person or Persons as the Arbitrators shall nominate, within 25. daies after Arbitration made. And the said States General shall, within two daies after the Instruments of Ratification of the said Articles of Peace are mutually delivered, pay here at London the summe of 5000 li. Sterling, towards the Charges of the Merchants, Masters, or their Assigns, for their Journey to Denmark, and the sum of 20000 Mr. Dollars, to such Persons as his said Highness shall appoint, within six daies after the arrival of the said Persons there, for the use of the Merchants, Masters and Owners towards repairing their Ships, and fitting them for Sea. Which said sums shall bee accounted in part of payment of such summe as shall bee awarded by the said Arbitrators. And that Cautiion and Securitie bee given (the form of which Cautiion is already agreed upon) be sufficient and responsible men, living here in London, and binding themselves in an Obligation of one hundred and forty thousand pounds sterling (which Obligation is to bee delivered at the same time with the Instrument of Ratification) that Restitution shall bee made according to the premises; and that the submission and payment as well of the 20000 Mr. Dollars, as of such summe, or other things, as shall bee adjudged and determined, as aforesaid, shall on their part bee duly performed. And if all and singular the Conditions bee not really and effectually performed on the part of the Lords the States General in manner and time aforesaid, then the said Obligation shall bee forfeited, and the said summe of one hundred and forty thousand pounds sterling shall bee paid to such Person or Persons as his Highness shall nominate, to the end the losses of the Merchants, Masters and interelld may bee satisfied.

## XXIX.

Item, That whereas certain questions and difference have arisen between the Common-wealth of England, and the King of Denmark, by reason of the detention of the Ships and Goods mentioned in the former Article, and the States General of the United Provinces have undertaken the restitution of the said Ships and goods, and agreed to give securitie and cautiion for the Damages in the manner exprest in the former Article; It is agreed and concluded, that the same being don and performed, all questions, strifes, wrongs and acts of hostilitie between the said Common-wealth and King, by reason of the said detention, shall cease and bee for ever forgotten, in such manner, that the said King with his Kingdoms & Dominions shall, as a friend, be comprehended and included in this Treaty and Confederation, so as to bee referred to the same friendship & alliance with either Common-wealth,

in which formerly he was, before the said detention, and as if it had never been. And also his Deputies and Ambassadors shall be admitted with like honours as the Deputies and Ambassadors of other States are being friends and Allies.

## XXX.

Item, Agreed, that at the time of the delivery of the Instruments of Ratification, four Commissioners shall be nominated on both sides to meet here at London, upon the eighteenth day of May next old style, who shall be authorised and empowered, as also by these Presents they are authorised and empowered to examine and determine all the losses and injuries which either the allies or have sustained from the other since the year One thousand six hundred and eleven, unto the eighteenth day of May, 1672. old style, as well in the East-Indies, as in Greenland, Muscovy, Brazil, or in any other place: the particulars of all which are to be delivered unto the Commissioners nominated as aforesaid, before the said eighteenth day of May, under this restriction, that after the said day passed no new Allegations shall be admitted. And if the above-said Commissioners shall not within three months space, to be accounted from the said eighteenth day of May, come to an agreement concerning the differences aforesaid, delibered in writing, and expressed in particular: That in such case the aforesaid differences shall be submitted, as by these Presents they are submitted, to the judgment and arbitration of the Protestant Cantons of Switzerland, who by an Instrument for this purpose (the form of which is already agreed upon) shall be desired to take upon them that Arbitration, and appoint like Commissioners empowered and intrusted to give final Judgment thereupon within six months next following after the expiration of the three months aforesaid. And whatsoever the said Commissioners or the major part of them shall award and determine within the said six months, shall oblige both parties, and be performed accordingly.

## XXXI.

It is also agreed, That both Parties shall firmly and truly perform and observe this present Treaty, and every Article and Thing contained and concluded therein; and shall cause the same to be performed and observed by their respective People, Subjects and Inhabitants.

## XXXII.

For better Security that this Peace and Confederation shall be truly and sincerely performed on the Part of the aforesaid States General, their People and Subjects, it is agreed and concluded, and the aforesaid States General, do by these Presents agree and bind themselves, that all and singular, whom, either they the States General, or the States Provincial, shall at any time elect, constitute, or appoint Captain General, Chief Governor, or Stattholder, Commander of their Army or Forces at Land, or Admiral of any of their Fleets, Ships, or Forces at Sea, shall



confirm by Oath this Treaty, and all the Matters and Things therein contained, and shall promise by Oath to observe, and as much as in they or them lie, inviolably to perform, and keep the same. And as far as concern's them, command the same to be performed and put in execution, and take care that they be performed and executed by others accordingly.

## XXXIII.

Lastly, it is agreed, That the present Treaty, and all and singular the Matters and Things therein contained and agreed on, shall, within fifteen daies next ensuing, or sooner, if it may be, be confirmed and ratified in due and authentick form, by the said Lord Protector, and the said States General of the United Provinces by their Letters Patents under their Great Seals, and that the Instruments of Ratification shall be delivered interchangeably within the time aforesaid. And furthermore, that this Treaty and Consideration shall immediately after delivery of the Instruments, be published according to the usual Solemnity, and in the places accustomed; and that all Acts of Hostility shall cease on both sides from that time, and civil order shall be restored.

Printed and Published by His Highness's Special Committed

An Ordinance for further doubling upon, and finishing the sale of Deans, Deans and Chapters Lands, and of Manors of Rectories, Glebe Lands, &c.

**W**HEREAS by one Act of Parliament, Entituled, An Act for sale of the Manors of Rectories and Glebe lands, late belonging to Arch-Bishops, Bishops, Deans, Deans and Chapters, It is Enacted and Declared, That all Manors of Rectories, impropriate Messuages, Tenements, Glebe lands, Pastures, Meadows, Parks, belonging to any Rectory impropriate, and free farm Rents issuing out of Manors of Rectories impropriate, jointly or severally charged therewith, late belonging or appertaining to any Rectory impropriate, Parsonage, Church, Chappel, or Donative, late appertaining or belonging to any Arch-Bishop, Bishop, Dean, Dean and Chapter, Prebend or other person or persons or Bodies Politick, mentioned in one Ordinance of the ninth of December, 1646. Entituled, An Ordinance of this present Parliament for abolishing of Arch-Bishops and Bishops within the Common-wealth of England; and Donation of Wales, and for selling their Lands and Possessions upon Trusts for the use of the Common-wealth. And in one Act of Parliament, Entituled, An Act of the Commons of England in Parliament Assembled, for the abolishing of Deans, Deans and Chapters, Canons, Prebends, and other Offices and Titles of, or belonging to any Cathedral or Collegiate Church or Chappel within England and Wales, to be abolished

abolished in right of his; their said Officers, Ministers, should be  
and were settled in the full seison and possession of the respective Treas-  
uries in the said Ordinances and Act named, their Heirs and Assigns.  
And the said respective Trustees in the said Ordinances and Act named  
were authorized and required to contract, bargain, sell, alien,  
and convey all and every the Premises; and to execute, all Pow-  
ers and Authorities in sale thereof, as they might have done in  
the Sale of any Honors, Manors, or Lands in the said Ordinances  
and Act mentioned. And whereas likewise by one other Act, En-  
titled, A Addition of Act, for the more speedie effecting of the Sale  
of the Manors of Rectories and Glebe Lands, &c. and for the  
better improvement of Lands upon the security thereof, and of  
other Lands and Hereditaments of the said Dean and Chapter, The  
Parliament did Enact and Declared, That all and singular the Pow-  
ers, Manors, Lands, Tenements and Hereditaments, which by  
the said Act for abolishing of Deans, Deans and Chapters, were  
exposed to sale, and not contracted for before the five and twentieth  
day of October, One thousand six hundred and fifty, together with  
such as by the said last recited Act were declared from sales, should  
be and were thereby declared to be part of the security for the one  
hundred and twenty thousand pounds, which by the said last recited  
Act was to be borrowed, and should extend to secure and pay  
the Debts, Principal and Interest, which should be doubled, on the  
Monies which should be advanced and paid to double the same,  
and the Interest from the time of doubling until the payment. And  
that if the Manors, Lands, Tenements, and Hereditaments, by  
the said Act for abolishing of Deans, Deans and Chapters, were  
exposed to sale, so contracted for before the five and twentieth day of  
October, One thousand six hundred and fifty, should (according to  
the rates at which the same were contracted for) amount unto a  
greater value than the Monies, Debts and other Charges, which  
before the second day of October, One thousand six hundred and fifty,  
were charged upon the same, so to be satisfied thereby; and it  
should be so declared by the Committee of observations; And in  
such case the surplus of the value of the Premises so advanced  
for, should also be, and should be accounted as part of the security  
for the said Monies: And it was also Enacted and Declared, That  
the Trustees in whom the same Premises should be sold, by security  
were respectively vested, and their Heirs respectively should stand  
seized thereof, and of the Rents, Issues and Profits thereof, until  
sold: And of the Monies which should be raised by the sale thereof,  
and of the Rents, Issues and Profits thereof, viz. for the payment of the Monies  
and Debts which should be owing upon the security of the  
said Premises, and all Salaries and incident Charges, and the re-  
minder thereof to the use of the Common-wealth, in such man-  
ner as the Parliament should appoint: And that all and every the  
said Rents, Issues and Profits of the Premises, and Monies, to  
be raised by the sale thereof, should be paid and issued out to the pay-  
ment thereof, by the Treasurers thereof, according to such man-  
ner as they should receive from the Trustees for Deans, Deans and  
Chapters

Chapters Lands. or any five or more of them, in that behalf; And whereas by the said last-recited Act all and every the Premises so appointed for security as aforesaid, were appointed to be sold, and were absolutely disposed unto the said respective Trustees for that purpose, as well for satisfying the moneys upon the said Security, and for raising of moneys for the Service of the Common-wealth, as also, to put a full end unto that business, and the charge of Officers, and others employed therein.

And whereas nevertheless, some part of the Premises yet remaineth unsold, there being so much already contracted for, as is sufficient to satisfy all the Moneys due upon the former Securities: And whereas also former Contracts could not be so exactly settled as to the precise sums, by differing Securities, respectively charged upon the Revenues of the said Dean's, Deans and Chapters, and other the Premises aforesaid; whereby some sort of Debts, to which the said Premises are liable, are more then provided for, to a considerable value, and the rest not applicable to satisfy such overplus which may tend to the disadvantage both of particular Persons, and also of the Common-wealth, by retarding the whole work: To the end therefore, a speedy end may be put to the said Sale, and the Common-wealth eased of the burthen and charge thereof;

Be it Ordained by his Highness the Lord Protector, by and with the consent of his Council, and it is Ordained by the Authority aforesaid, That over and above the sum of three hundred thousand pounds, appointed to be borrowed upon the Security held forth by the first recited Act, and over and above the sum of one hundred and twenty thousand pounds more, borrowed upon the Security held forth in the two last recited Acts, or either of them, the sum of twenty thousand pounds shall be further borrowed upon the Security of such of the Premises respectively, exposed to sale by the said Acts, or either of them, in such sort as is hereafter expressed, by way of doubling the like sum, as shall be due to any person or persons, Body-politic or Corporate, for any Money, Plate, Jewels, Armes, or other thing advanced upon the Publick Faith, or which hath been at any time allowed by any Act or Ordinance of Parliament to be doubled, as Publick Faith; together with Interest upon such Publick Faith Debts, after the rate of eight pounds in the hundred, by the year, until the stating of such Debts and Interest, by the Persons named and appointed in and by an Act of Parliament, Entituled, An Additional Act for sale of several Lands and Estates forfeited to the Common-wealth for Treason, to be Register, Accountant, or any of them which the said persons, or any of them, are hereby Authorized to state accordingly. And after the stating of such Debts and Interest, and doubling thereof, the respective Creditors to be allotted onely six pounds in the hundred by the year, for the whole of such doubled Publick Faith Debts, until the payment thereof, or defalcation upon purchase, In relation to which doubling intended by this Ordinance, the Trustees, Treasurers, Register, Accountant, and all other Officers concerned therein, are hereby authorized and required to proceed according to the Directions of the Acts of Parliament in like case made and provided, save onely as to what



What is hereby altered, relative to the debts, and to advantage of Interest as aforesaid, and all and every person and persons, Body-politic and corporate, to whom any debts capable of doubling within this present Ordinance, shall be due, and his and their respective Assigns, and all persons doubling such debts and their respective Assigns, shall have all and the like Privileges, Benefits and Advantages respectively in reference to the Premises, as any such person or persons, Bodies-politic or Corporate, their or any of their Assigns might or ought to have had by the aforesaid recited Acts or either of them, save only what is hereby altered with restriction to Debts and Interests as aforesaid, and all and every person and persons who shall have such Debts and Interests stated as aforesaid, shall pay in to the Treasurers named in the said Act for sale of the said Monies of Redemption, or one of them, the money wherewithal he or they ought to double within ten days next after Certificate thereof to the Treasurers, or otherwise shall lose his or their Publick Faith debts unless he or they shall show good cause to the Treasurers or any one of them for his or their failure therein. And be it further Ordained, That both the Certificates or Receipts to be given by the said Treasurers, or one of them, for moneys to be doubled upon the security held forth by this present Ordinance, as also all Certificates, Receipts, or Bills for moneys or debts doubled or transferred upon the Securities held forth by any the said aforesaid, which were defalcable in payment for any purchase made within the same former Acts or any of them, shall be, and are hereby made to be defalcable in payment in manner and form following: That is to say, the Certificates or Receipts for moneys to be doubled upon the security held forth by this present Ordinance, shall be defalcable in payment for both Parties of the Purchase Monies, payable for any part of the Premises which yet remain unsold, and in payment for all second moneys payable upon Contracts made of any the said Premises, at any time before the passing of this Ordinance. And the Certificates, Receipts or Bills for moneys doubled, or transferred upon the Securities held forth by any the said Acts, shall be equally and alike defalcable for any or both Parties of the Purchase-money, payable for any the Premises exposed to sale by any the former Acts either contracted or uncontracted. And the Treasurers and all other Officers concerned therein, are hereby authorized and required to admit and allow thereof accordingly. Provided that all defalcations to be made by virtue of this Ordinance, for moneys due upon any the Certificates, Receipts, or Bills aforesaid, shall be of one distinct account, as to the whole, or any moiety of the Purchase-money for which they shall be so defalcated. Provided also, that where any Purchaser or Purchasers, his or their Assign or Assigns shall tender any Bills or Receipts by this Ordinance made applicable for payment of any second moiety, other than such Bills or Receipts, as by his or their Contract ought to have been applied thereunto; and the party or parties so tendering such Bills or Receipts, shall defalc so much more in value, as shall counterball the Interest incurred by his or their elapsed time. For which second moneys, as also for defalcations as aforesaid, the said Treasurers,

or one of them, are hereby authorized to give such Purchaser his or their Receipt or Acquittance and re-Contentance accordingly. And bee it further Ordained and declared by the Authority aforesaid, That where any present Estate of, or in any Lands or Possessions of the late Arch-bishops, Bishops, Deans, Deans and Chapters, Canons, Prebends, and other the Persons aforesaid, shall bee doubtfully returned upon any Survey, either as to the Certain being or Legalitie of any Leaf, or Copie of Court-Roll, or any Life or Lives upon any Leaf or Copie of Court-Roll; the Tenant or Tenants claiming such Leaf, Copie or Estate, shall (as to the Lands already Surveyed) before the first day of July, one thousand six hundred fiftie and four; and as to the Lands unsurveyed, within three moneths next after the respective Returns of the Surveys thereof to the respective Registers for sale of the premises, make proof of his or their Estate or Estates of the premises, and procure their Order for Allowance thereof, or otherwise shall bee forever barred and excluded from any benefit or advantage thereby. Provided nevertheless, That the Power given by the former Acts to the Surveyor-General, as also the Power given by Ordinance of Parliament to the Contractors for sale of Bishops Lands, for allowance of any estates made good by proof before the Survey of any of the premises, bee not any waies impeached. And provided also, That the power given or transferred to the Commissioners for removing of Obstructions, by any Ordinance or Act of Parliament for allowance of Estates, bee not any waies hereby enlarged.

And bee it further Ordained, That any two Surveyors Commissioned by the respective Trustees for sale of the premises, shall have like power to all intents and purposes as is given to any three or more Surveyors, so Commissioned by the Ordinance for sale of Bishops Lands, And that for the perfecting of any Surveys already returned, or which shall bee returned imperfect, where the Charge of a re-survey (in regard of the small value of the Lands remoteness of their situation, or otherwise) may bee conceived too great for the Common-wealth to bear: it shall bee in every such case in the power of William Webb Esquire, Surveyor-General, to inform himself by the best means and waies hee can, touching the premises, either by Oath, or otherwise, (which Oath hee is hereby authorized to administer and upon such information had and by him communicated to the respective Contractors, or any three or more of them, hee shall and may by & with their advice amend and perfect any such Survey accordingly.

And bee it further Ordained by the Authority aforesaid, That in case any person or persons who hold in his or their possession or tenure, any of the lands tenements, and hereditaments of the late Arch-bishops, Bishops, Deans, Deans and Chapters, Canons, Prebends, &c. which by this present Ordinance, or any Ordinance or former Act of Parliament, are exposed to sale, and yet undiscovered, and which are or ought to bee in the present possession of the respective Trustees for the use of the Common-wealth, shall make the first discoverie thereof to the Surveyor-General, before named; every such person or persons

persons desiring the same, shall bee admitted the prescription of all such lands, rents, duties, and payments, by him or them discovered, the lowest rates the respective Contractors are enabled to sell the same for, by any Act or Ordinance of Parliament in that behalf; And where any person or persons possessed of any the lands or premises, aforesaid, yet undiscovered, by virtue of any Lease or Copy of Court-roll, dated before the first of December, One thousand six hundred forty one, granted by any who had power to make or grant the same, shall before the said first day of July, being or being in a true Copy of his or their Lease or Leases, Copy or Copies of Court-roll, to the said Surbeyor general, that a Surbeyor may have had of the premises, every such person coming in within thirty days next after the return of any such Surbey, shall bee admitted to the prescription of the reversion of his Lease or Copy, with the present Rent incident thereunto at the lowest rates the respective Contractors are enabled to sell, aforesaid. And in case of his or their neglect to bring or send in such true Copy or Copies, before the said first day of July, all and every such person and persons, shall forfeit and lose his or their present Estate, by Lease or Copy, and any person or persons who afterwards shall discover the same, shall have and bee admitted to the prescription of the present possession of such Lands, and have the same conveyed to him or them, upon whomsoever he or they shall nominate, and to his or their heirs and assigns, at the like lowest rates the Contractors are enabled to sell as aforesaid; any clause in this Ordinance, or any former Act or Ordinance of Parliament to the contrary notwithstanding.

And be it further Ordained by the Authority aforesaid, That Sir William Roberts Knight, John Blackwell the Clerk, James Russell, Timothy Middleton, Robert Fenwick, Thomas Ains, and Edward Cresser, Esquires, Contractors named (with others) in an Ordinance of the Lords and Commons assembled in Parliament, of the fifteenth of November, One thousand six hundred forty six, appointing the sale of the Lands and Possessions of the late Archbishopps, and Bishops, for the use of the Commonwealth, or any five or more of them, be, and are hereby Authorized, to do, use, exercise, perform, and execute all and every the Act and Acts, Authorities, Powers, and things relating aforesaid to the sale of the said Lands and Possessions, as to the sale of the Parsonages, Rectories, and Glebe Lands, &c. lately belonging to the said Archbishops, and Bishops, which any five or more of the Contractors named in the said Ordinance, by virtue thereof, or any five or more of them by virtue of the former recited Act for sale of the Parsonages of Rectories, or by virtue of any additional Ordinances or Acts of Parliament concerning the sale of the premises respectively, may, might, or ought to have done, used, exercised, performed, or executed, to all Intents, Contradictions, and Purposes.

And it is also further Ordained, That the respective Treasurers, Contractors, Treasurers, Register-Accountant, Surbeyor-General, and all other Officers attending the Sale of the Premises, and every of them be hereby Authorized and requi-



red in all things relating to the putting of this Ordinance in execution (other than such as are hereby altered or otherwise directed, to pursue the directions of the former Acts and Ordinances respectively concerning the same. And for the more proper issuing out of the Warrants, Issues; and profits of the premises, together with the Monies arising by the Sale thereof. It is further Ordained by the Authority aforesaid, That the Trustees for Sale of Bishops Lands, shall have power, and are hereby empowered, to make Warrants to the Treasurers for the Sale of the Monies of Rectories, Glebes; &c. or one of them, for the payment of such incident charges as have or shall arise upon the Sale of the Monies of Rectories, Glebes, &c. belonging to the late Arch-bishops, and Bishops, only; And the said Treasurers are hereby required to pay and discharge the said Warrants from time to time accordingly, Any thing in any former Act to the contrary hereof notwithstanding; and also that the Treasurers appointed by this Ordinance to receive such Monies as shall be doubled hereon, shall not issue forth any part of the Twentie thousand pounds hereby appointed to be doubled, but by, and in such manner, as his Highness with the advice and consent of the Council shall direct.

Provided, That this Ordinance or any thing therein contained, shall not extend to empower the respective Treasurers to grant any further or greater allowance to any persons employed, or to be employed in the perfecting of this work, then what hath been heretofore allowed unto them, or any of them, or to others in their places respectively.

And be it enacted by the Authority aforesaid, That James Noel shall be Treasurer in the room of Alderman Thomas Noel late deceased, in relation to all Monies heretofore doubled at Wardens Hall, upon the security of Bishops Lands, &c. who is hereby empowered and required to execute and perform all and every such powers and authorities and duties, relating to the discharge of his place, as the said Thomas Noel by virtue of any former Ordinance of Act of Parliament might have done.

Enacted by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scell, Clerk of the Council.

An

## By the Lord Protector.

A Declaration of his Highness, Setting apart *Tuesday* the 23. of this present *May* for a publick day of Thanksgiving for the Peace concluded between this Commonwealth and that of the United Provinces, and for the late seasonable Rain.

**T**Hat this hath been a Nation of blessings, in the midst whereof so many wonders have been brought forth by the outstretched arm of the Almighty even to astonishment and wonder, Who can deny? Ask We the Nations of this matter, and they will testify, and indeed the Dispensations of the Lord have been as if he had said *England*, thou art my first-born, my delight amongst the Nations, under the whole Heavens the Lord hath not dealt so with any of the people round about us.

The Lord having added another Link to this Golden Chain of his loving kindness, by giving us a peace with our Neighbors the United Provinces, (whereby he hath not onely stopped a great issue of blood, but We trust also given us hearts to unite our blood and strength for the mutual defence of each other) calls for great return of Thanks for the same.

It is therefore thought fit to set apart *Tuesday*, being the 23. of this present *May*, as a day for Praise, and for the Thankfull Acknowledgement of this blessing of Peace, which we hope hath in the womb of it many other blessings.

And let us not forget our other Mercies; Was not the Earth lately so unusually parcht up, that it threatned Famine, and did cause the Beast of the Field to mourn for want of food, and water to sustain it? And hath not the Lord so watered the Earth that he hath turned those fears into the expectation of the greatest plenty that ever was seen by any now living in this Nation? Consider we also the way whereby the Lord imparted this mercy to us, did any amongst us foreknow it was coming, was it not by stirring up our hearts to seek the same by prayer, and that immediately before the Lord vouchsafed us this Mercy? And doth not this bespeak?

1. That the manner of conveying this mercy, is the best part of the Mercy.

2. That the Lord has not cast us off, that his Spirit yet strives with us, that he hath a People of his love amongst us, and loves the Nation so far, as to provoke it to bee in love with calling upon the name of the Lord for better things than Corn and Wine?

3. That he knows best how and when to answer the Expectation of the Husbandman, and when to hear even the mourning of the brute Beast, who will yet much more hear the desires of them that fear him, and that in the fittest season.

4. That the Heavens having thus declared the glory of God, and the Earth answering thereunto in its fruitfulness, why should not we bee melted and softned, humbling our selves under these marvellous kindneses, and abounding unto all fruitfulness in every good word and work of love, and if every place hath been made partaker of his shewes, why should not we (laying aside our differences) bee enlarged also each to other?

5. That seeing the Lord hath been thus universal in this mercy, Why should we not universally turn from the national evils and vain practices which yet are too superstitiously and customarily exercised amongst us, which we need not repeat here, because they are too well known, and we trust will bee remembered by those godly Ministers who shall be called to preach unto the People upon this occasion? Conclude we with the words of David, Psalm 107. verse,

30. Then they are glad because they bee quiet, so he bringeth them unto their desired Haven.

31. O that men would praise the Lord for his goodness, and for his wonderful works to the children of men.

32. Let them exalt him also in the Congregation of the People, and praise him in the Assembly of the Elders.

33. He turneth Rivers into a Wilderness, and the water-springs into dry ground.

34. A fruitful Land into barrenness, for the wickedness of them that dwell in it.

35. He turneth the Wilderness into a standing water, and dry ground into water-springs.

36. And there he maketh the hungry to dwell, that they may prepare a City for Habitation.

37. And sow the fields, and plant Vineyards which may yield fruits of increase.

38. He blesseth them also so that they are multiplied greatly, and suffereth not their Cattel to decrease.

O that Men would praise the Lord for his goodness, and for his wonderful works to the Children of Men.

Given at White-hall this 9. of May, 1654.

An Ordinance for continuing an Ordinance, Entituled,  
An Ordinance for further suspending the proceedings of the  
Judges named in an Act of Parliament, Entituled, An  
Act for relief of Creditors and poor Prisoners, until the  
31 day of May instant.

**B**E it Ordained by his Highness the Lord Protector by and with the advice and consent of his Council, That one Ordinance of the eighteenth of April one thousand six hundred fifty and four, Entituled, An Ordinance for further suspending the proceedings of the Judges named in an Act, Entituled, An Act for



for the relief of Creditors and poor Prisoners, be continued, and shall stand in force until the one and thirtieth day of May instant; And that the several and respective Judges mentioned in the said Act, or any of them, shall not proceed to the sale or disposition of any the Estates real or personal of any of the Prisoners, or other person or persons whatsoever, mentioned or intended in, or by the said Act; nor shall otherwise intermeddle in the execution of the said Act, or of any the Powers or Authorities given by the same, until the said one and thirtieth day of May instant, otherwise than as in the said Ordinance is limited, and that all other Acts or things to be done by the said respective Judges, or any of them, by virtue of the said Act from henceforth until the one and thirtieth day of May aforesaid, shall be and are hereby declared to be utterly null and void.

*Tuesday, May, 16. 1654.*

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

An Ordinance for holding the County-Court for the County of *Chester* at the Town of *Northwich*, during the continuance of the infection of the plague in *Chester*.

**W**hereas the Shire-Hall of the County-Palatine of *Chester* is situate within the Castle of *Chester*; which City is now visited with the Plague, by reason whereof the Sheriff of the said County-Palatine of *Chester* cannot, without danger to the whole County, keep his Court in the said Shire-Hall, where the same ought to be, and usually hath been kept; Be it therefore Ordained by his Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, by, and with the consent of his Counsel, That the Sheriff of the said County shall have full Power and Authority, and hee hath hereby full Power and Authority given him upon the same Tuesday every Moneth as formerly, to keep his said County-Court in the Town of *Northwich*, in the County of *Chester*, and to adjourn the same from time to time to any other Market Town or Publick place within the said County where he shall think convenient for the ease and safety of the Inhabitants of the said County until the said infection of the Plague in *Chester* aforesaid shall cease, and no longer: at which time the said Court shall or may be adjourned unto the said Shire-Hall again, there to be held and kept upon the same Tuesday every moneth, in such manner as formerly it hath been used and accustomed, and that all Acts, Things and Proceedings in Law, had and done, and to be had and done in the said County-Court, since the now last Court, kept in the said Shire-Hall, in the said Castle of *Chester*, and until the

the said Court shall be adjourned to the said Shire-Hall again, shall be, and shall be adjudged, deemed, taken and construed to be to all intents and purposes, of the same force, effect, and validity in Law, as if the same had been kept still in the said Shire-Hall, the Statute made in the three and thirtieth year of the Reign of the late King Henry the eighth, or any other Statute, Law, Order or Ordinance of Parliament, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

*Tuesday, May 16. 1654.*

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

*Henry Scobell Clerk of the Counsel.*

### An Ordinance for relief of Debtors in Scotland in some Cases of Extremity.

**F**or the better moderating the severity of the proceedings, which by the Laws of Scotland are had by Creditors against their Debtors, in several cases of great extremity; and to the end such Creditors may have satisfaction of what is or shall be due unto them: Be it Ordained, and it is hereby Ordained, by His Highness the Lord Protector, by and with the consent of His Counsel, That the Commissioners for Administration of Justice in Scotland for the time being, be Authorized and impowred to moderate Decrees, to be by them given out against such Debtors as shall manifestly appear to them not to be able to procure money for paying such Debt, by allowing some fit and convenient time or days for payment of the said Debt, with Interest for the same, until such time or days of payment, and at the expiration of such time appointed; in case the said Debts be not satisfied, to appoint and set out Lands of such Debtors, for satisfaction of the Debt, at such values as the same were worth in the year, One thousand six hundred forty eight: and to decree the same to be enjoyed by such Creditors, and their heirs, or otherwise according to such Decree, in satisfaction and discharge of such Debt, and all further proceedings against such Debtor or his estate for the same. This Ordinance to continue in force until the Twelfth day of May, One thousand six hundred fifty five.

*Tuesday, May 16. 1654.*

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance be forthwith Printed and Published.

*Hen. Scobell, Clerk of the Counsel.*

An Ordinance of Explanation of a former Ordinance,  
Entituled, *An Ordinance for better Amending and Keep-  
ing in Repair the Common High-ways within this Nation.*

**W**hereas by an Ordinance, Entituled, *An Ordinance for better amending and keeping in repair the Common High-ways within this Nation*, Amongst other things it is Ordained, That if any Wagons, Carts or Carriages, wherein any burthens of dead Commodities or Wares, shall at any time from and after the first day of May then next, be drawn upon any such High-ways, Roads, or Streets, with above five Horses or Pares, or six Oxen and one horse or Pare, in any one Cart or Wagon, That then it shall bee lawful to or for any Constable or Surbeyor of High-ways, or other Inhabitant in any Parish where such Laden Wagon, Cart or Carriage, shall pass and bee drawn as aforesaid, to distrain and seize all such supernumerary Horses, Pares or Oxen, as he shall finde in any such Wagon, Cart or Carriage, over and above the number of five Horses or Pares, or six Oxen and one Horse or Pare, respectively, and the same supernumerary Horses, Oxen, and Pares respectively, to detain and keep until such Owner or Driver have paid and answered into the hands of the Surbeyors of High-ways within the Parish where such distress and seizure shall bee made, or one of them, the sum of twenty Shillings for every such supernumerary Horse, Pare, or Ox; Bee it now Ordained by His Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, &c. by and with the consent of His Counsel, That the said Ordinance or any Clause therein contained, shall not extend to any Carts or Carriages at any time used in the conveying, draught or carriage of any Ordnance, Timber or Artillery, of any sort or kinde whatsoever, for the use of the Army or Navy; But that such Carts, Draughts or Carriages, may bee drawn with any number of Horses or Oxen, necessary for the drawing thereof, without incurring any of the Penalties in the said Ordinance mentioned, or without any stop, molestation or disturbance of any Constable, Officer or other person whatsoever, any thing in the said Ordinance to the contrary notwithstanding.

Provided, That such persons that attend the said Draughts, Carts or Carriages, for the use of the said Army or Navy, have some Order or Pass under the hands of his Highness the Lord Protector, or the Lord President of his Counsel, or of the Commissioners of the Admiralty and Navy, or Generals of the Fleet, or other Field-Officers of the Army, Commissioners of the Navy, or some Governour of a Garrison, or under the hands of some of them, signifying that such Carriages and Draughts are for the use of the said Army or Navy as is aforesaid.

Tuesday, May 16, 1654. Ordered by His Highness, &c.




## By the Lord Protector.

**W**hereas the Enemies of the Peace of this Nation (notwithstanding the many signal providences of God in frustrating of their former Counsels and Malicious Designs) do appear still restless in their Attempts, to involve this Commonwealth in blood and confusion, In Order whereunto divers of them have lately repaired to London, as well from beyond the Seas, as from several parts of this Commonwealth. His Highness with the advice of His Council, hath therefore thought fit, and doth hereby expressly Charge and Command, That for the better discovery of persons ill-affectd to the Peace of this Commonwealth, the Constables of the respective Parishes within the Cities of London and Westminster, Burrough of Southwark, and the Lines of Communication, do forthwith after the publication hereof, repair to the several Houses within their respective Parishes, and require from the Householders a List of the names of all such persons as now do, or did lodge in their respective Houses on Friday night last, being the nineteenth of this instant May, or at any time since, with their several qualities and conditions, and how long they have been lodged there. And all and every the said Householders are accordingly to deliver to the said Constables, or one of them, a true List of all such names upon peril of being reputed and dealt withal, as Complices and Partakers in the said Designs. Which Lists so delivered, the respective Constables of the Parishes within the Cities of London and Westminster, Burrough of Southwark, and Lines of Communication, are within forty eight hours to deliver to the Lord Mayor of London, and Bayliffs of Westminster and Southwark, respectively, whereof the said Constables are not to fail at their utmost peril. And the said Lord Mayor and Bayliffs are to return the Lists so to be by them received, to his Highnesss Counsel at White-Hall, immediately after the receipt thereof. And his Highness doth likewise strictly command and require, that no person or persons whatsoever, lodging within the Lines of Communication, do change his or their several and respective longings, or depart out of the said Lines for the space of ten days after the date hereof, without a special Licence and Pass in that behalf obtained from the Lord Mayor of the said City of London, or Bayliff of Westminster or Southwark respectively, under their respective hands and seals; Which Pass the said Lord Mayor and Bayliffs of Westminster and Southwark respectively, are hereby authorized to give to all such persons concerning whom they shall bee satisfied, that they have no ill intentions or designs against the Commonwealth, and to none else. And if any such person shall presume to depart out of the said Lines, within the said time, without licence obtained as aforesaid, it shall bee reputed a Contempt of this his Highnesss Command, and be punished according

ing to its demerit. And the Lord Mayor of the City of London, and Bapstiffs of Westminster and Southwark respectively, are to cause this Proclamation forthwith, after Publication thereof, to be sent to the several Constables as aforesaid, and to require and demand from them an account of their proceedings thereupon.

Given at White-hall the 23 of May, 1654.

By the Lord Protector. 

**W**HEREAS by the thirtieth Article of the Peace lately made and concluded between his Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Lords the States General of the united Provinces, It is concluded and agreed, That four Commissioners shall be nominated on both sides to meet here at London, upon the eighteenth day of May, one thousand six hundred fifty and four, *Old Style*, who shall be Authorized to examine and determine all the Losses, and Injuries which either allege to have sustained from the other, since the year one thousand six hundred and eleven, unto the eighteenth of May, one thousand six hundred fifty and two, as well in the East-Indies, as in Greenland, Muscovy, Brazeel, or in any other place; the particulars of all which shall be delivered in to the said Commissioners before the said eighteenth of May, one thousand six hundred fifty and four. And whereas in pursuance thereof Commissioners are respectively named, viz. John Exton, William Turner, Doctors of Laws, William Thompson, and Thomas Kendall, Merchants, on the part of the English; And Adrian Van Almonde, Christian Van Rodenbure, Lodovick Howens, James Oysel, on the part of the people of the united Provinces; who not being able to meet so soon as the said eighteenth day of May, It was mutually agreed, That the said meeting should be deferred unto the thirtieth of the same Month of May, and that the particulars of the said Demands on either part may be delivered in at any time before, or upon the thirtieth of May next, and that the same being delivered in before, or upon the said day, should be as effectual as if they had been exhibited upon the eighteenth day of May aforesaid. Which last Agreement his Highness hath Commanded by these presents to be made Publick, To the end all persons concerned may take notice thereof, and deliver in their Demands unto the Commissioners accordingly. The place of whose meeting is appointed to be at Guild-Hall upon the thirtieth of May aforesaid.

Given at White-hall the 24 of May, 1654.

An Ordinance impowring the Commissioners appointed to consider of the matters contained in the twentieth eighth Article of the Treaty, with the States General to administer an Oath.

**W**hereas his Highness the Lord Protector, and the Lords the States General of the united Provinces, by the eight and twentieth Article of the Treaty of Peace happily concluded betwixt them, have mutually accorded and agreed, That Edward Windlow, James Rutel, John Beck and William Vander Cruyssen, shall be Arbitrators to examine and determine certain matters in the said Article contained; Now for the better enabling the said Arbitrators to discharge that Trust to the full satisfaction of themselves and all parties therein concerned: Bee it, and it is Ordained by his Highness the Lord Protector, with the advice and consent of his Counsel, That the said Arbitrators be and are hereby Authorized and Impowred to send for, administer an Oath unto, and examine upon Oath any person or persons whatsoever, touching, or any ways concerning all or any of the matters so referred to the examination and determination of the said Arbitrators: And if any person or persons shall not attend the said Arbitrators being so sent for, or shall refuse to be sworn, or to be so examined, That then it shall and may be lawful to and for the said Arbitrators, to Commit such person or persons unto safe Custody, there to remain without Bail or Mainprize, until such refractory person or persons shall submit and conform themselves.

Friday, May 26. 1654.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

An Ordinance for the Preservation of the Works of the great Level of the Fens.

**W**hereas by an Act of Parliament, Entituled, An Act for the Dreining of the Great Level of the Fens, extending it self into the severall Counties of Northampton, Norfolk, Suffolk, Lincoln, Cambridge and Huntington, and the Isle of Ely, or some of them, William Earl of Bedford, Participants and Adventurers are thereby impowred to Drein the said Level, which is done accordingly, and so adjudged; and to have for their recompence the proportion of ninety five thousand Acres, which is also set out and Assigned; In and by which Act there is not a full remedy made and provided to enforce the payment of taxes, wch shall be laid & assessed in order to the preserving of the said Level for remedy whereof, and also for prohibiting of all ways and means conducing to



to the preservation thereof; Bee it Ordained and Established by his Highness the Lord Protector, with the consent of his Counsel, That upon any Tax or Taxes to be made or laid, in pursuance of the said Act, that it shall and may be lawful for any person or persons, by any Warrant under the Hands and Seals of any five or more of the said Adventurers or Participants of the said ninety five thousand Acres (having five hundred Acres a piece) not onely to distrein upon the said Lands which are, or shall be in arrear for such Taxes, But in case of non-payment by the space of thirty days after the Tax so in arrear, to sell the distreins, or distresses so taken, and the monies arising by such sale or sales, to be employed as well to the satisfying of such Arrears of Taxes as to the payment of two shillings in the pound for the Taxes so in arrear, to the use of the said Earl, Participants and Adventurers, their Heirs and Assigns, for defraying Charges occasioned in and about such Distresses and Sales, rendering always the Surplusage upon such Sales, above the said Arrear Taxes, and two shillings in the pound aforesaid, if any be, to the Owner of the Distresses, demanding the same, and where no sufficient distress or distresses shall be found, after the said thirty days, when any person shall come to distrein for such Taxes in Arrear, Bee it Ordained by the Authority aforesaid, That in such cases it shall and may be lawful to and for the said William Earl of Bedford, Participants, and Adventurers, their Heirs and Assigns, or any five or more of them, having the said proportion of five hundred Acres a piece, to lay any Fine or penalty for non-payment of Taxes so made or laid as aforesaid, not exceeding the sum of three shillings and four pence in the pound for the Taxes unpaid, and as well for the said Taxes as Penalty, to Enter, Seize and Sequester the Lands so in Arrear for want of Taxes, to and for the use of the said Earl, Participants, and Adventurers, their Heirs and Assigns, and the Rents and Profits of the said Sequestered Lands to receive without Account, until the said Taxes and Penalties shall be satisfied and paid.

And be it further Ordained and Established by the Authority aforesaid, That the said William Earl of Bedford, Participants, and Adventurers, their Heirs and Assigns, or any five or more of them, having the said proportion of five hundred Acres, shall and may use and exercise the same and like power, for the making, repairing and amending of any Banks, Dams, Sluces, Dasses, Dykes or other Works, made or to be made out of the Compass and Boundaries of the said great Level, as they, or any five of them, do or may use or exercise in the repairing or amending of any Banks, Dams, Sluces, Dasses, Dykes, or Works, within the compass of the said Level.

And be it further Ordained and Established by the Authority aforesaid, That if any person or persons shall unlawfully cut, cast down, burn or destroy, or other act do, for the destroying of any Bank, Dam, Sluce, Dasse, Dyke, or other Work made, or to be made, which doth or shall conduce to the dyeining of the said Level, that in such cases the Commissioners in the said Act named, or such as shall from time to time be nominated in their rooms by Act of Parliament, or under the Great Seal of England, according to the said Act, or any three or more of them, upon complaint and proof made before them

of such unlawful burning, casting down, cutting, or destroying, or other Act doing for destroying as aforesaid, toward double Damages to the said Earl, Participants and Adventurers, their Heirs and Assigns, to be levied by distress and sale of the Offenders goods, and to be employed for and towards the maintenance of the said Works, and for want of sufficient distress to commit such Offender or Offenders to the House of Correction, there to remain until satisfaction be made and given of the said Damages so awarded; And if such cutting, burning, casting down or destroying shall be perverse and malicious, the Offenders therein shall be adjudged Felons, and be proceeded against and suffer such pains and punishments as those who shall perversely or maliciously cut the New Bedford Bank in Marshland in the County of Norfolk, provided that all and every such Offender be prosecuted within four Months next after the offence committed. And be it further Ordained and Established, That the said Commissioners, or any three or more of them, are hereby empowered and authorized to hear, adjudge and determine all matters and things for and concerning the disturbing the possession or possessions of any Adventurer or Participant in the said ninety five thousand Acres, or any part thereof, their or any of their Heirs or Assigns, as also for and concerning all ways and passages used or belonging to any part or parcel thereof, and upon judgement or determination given therein then to commit to the Common Goal all such person and persons who shall not be conformable therunto, there to remain until a conformity and obedience shall be given; And the Sheriff, and all other Officers and Ministers of Justice, and such as shall be concerned are hereby required to be aiding and assisting to the said Commissioners in what they shall do or command to be done, or executed by virtue of this Ordinance; and all and every person and persons concerned or to be concerned by this Ordinance, or which shall do any thing in execution of the same, may upon any Action, Suit, or Information, plead the general Issue, and upon any Issue joined may give this Ordinance and Evidence, which shall be of equal force and validity, as if the same had been especially pleaded; And all Judges, Justices, Jurors, and others, are so to accept the same. Provided that this Ordinance or any thing therein contained shall not extend, nor be construed to extend to invalidate any Covenant, Contract, or Agreement made by the said Adventurers, with the Purchasers of any part of the ninety five thousand Acres, or among themselves concerning the taring, not taring, or the manner of taring of or concerning any part of the ninety five thousand Acres. And be it further Ordained and Established, That if any person or persons of a Foreign Nation, in League and Amity with the Commonwealth, being Protestants, shall become Purchaser or Farmer of any Lands part of the said ninety five thousand Acres, the said person or persons, their Heirs, Executors and Administrators (as to the said Lands and the Rents, Profits, and proceeds of the same and all Suits touching the same) shall be accounted free Denizens of this Commonwealth, and enjoy the like Privileges and Advantages for descent to their children, Dower to their wives, and otherwise, as Denizens of this Commonwealth ought to enjoy.

Friday, May 26, 1654. Ordered by His Highness, &c.

## An Ordinance of Explanation touching the Jurisdiction of the Court of Admiralty.

**B**E it Declared and Ordained by His Highness the Lord Protector, by and with the consent of His Counsel, That so much of the Act of Parliament of the second of April, One thousand six hundred fifty one; Entituled, An Act for the continuing of the Jurisdiction of the Court of Admiralty, as to so much thereof as concerns the setting and continuing of the Jurisdiction of the said Court, according to former Acts and Ordinances of Parliament, be, and is hereby Declared to be, and at all times since the Twelfth of April, One thousand six hundred fifty and one, to have been continued of full force and virtue, according to the words contained therein, and the same shall so continue and be, and shall be so in all Courts adjudged to be continued, and of full force and virtue, until further order shall be taken to the contrary; and that all proceedings in the said Court of Admiralty, since the Thirtieth of March last, or hereafter to be had, according to the said Act of April, One thousand six hundred fifty one, shall stand good, firm, and valid in Law to all intents and purposes whatsoever, and be so adjudged, construed and taken, any thing to the contrary notwithstanding.

Friday, June 2. 1654.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scabell, Clerk of the Counsel.

## The Form of an Indenture between the Sheriff and the Electors of Persons to serve in Parliament for Counties.

**T**his Indenture made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord 1654 at \_\_\_\_\_ in the County of \_\_\_\_\_ between \_\_\_\_\_ Sheriff of the County aforesaid of the one part, and E. D. E. F. G. H. and divers other Persons qualified and capable to elect Members to serve in Parliament for Counties, as is prescribed in the Government of the Commonwealth of England, Scotland, and Ireland, Witnesseth, That Proclamation having been made in every Market Town in the County aforesaid within ten days after the receipt of a certain Writ of the Lord Protector to the aforesaid Sheriff directed, and to one part of these Indentures annexed to, the Election of \_\_\_\_\_ Knights, fit and discreet Persons of the County aforesaid,



aforsaid, for the Parliament of the said Lord Protector, in the Writ aforsaid specified to be chosen, and to be at the Parliament of the said Lord Protector at Westminster in the County of Middlesex, the third day of September next to be held; The aforsaid C. D. E. F. G. H. &c. and divers other Persons of the County aforsaid, who were present at such Election, freely and indifferently have chosen Knights girt with Swords, that is to say, A. B. &c. to be in the Parliament aforsaid, as in the said Writ is mentioned, who for themselves, as also for all the People of the County aforsaid, have full and sufficient power to do and consent unto those things, which in the aforsaid Parliament Hall then and there, by common consent and counsel, happen to be ordained.

Provided, and it is hereby Declared, That the persons so chosen shall not have power to alter the Government as it is now settled in one single Person and a Parliament. In witness whereof as well the Seal of Office of the said Sheriff, as also the Seals of the Electors aforsaid, the day, year, and place abovesaid to these Indentures are put and affixed.

Henry Scobell, Clerk of the Counsel

### The Form of An Indenture between the Sheriff and the Burgeses and Inhabitants of Burroughs.

**T**his Indenture made the \_\_\_\_\_ day of \_\_\_\_\_ In the year of our Lord, one thousand six hundred fifty and four, Between A. B. High Sheriff of the County of \_\_\_\_\_ of the one part, And C. D. E. F. G. H. &c. Burgeses and Inhabitants of the Burrough of \_\_\_\_\_ of the other part, Witnesseth, That by virtue of a Warrant unto I. K. of the said Burrough of \_\_\_\_\_ from the said High Sheriff to him directed, for the Electing and Choosing of Burgeses of good understanding, knowledge and discretion for Causes concerning the publick Good of this Commonwealth, To be at his Highness Parliament to be holden at Westminster, the third day of September next; We the said Burgeses and Inhabitants there, have made Choice and Election of L. and M. to be Burgeses of the said Burrough of \_\_\_\_\_ to attend at the said Parliament according to the tenor of the said Warrant unto him the said I. K. directed in that behalf; who for themselves and all the People of the said Burrough have full power to do and consent unto those things which in the aforsaid Parliament shall then and there, by Common Counsel and Consent, happen to be Ordained.

Provided, and it is hereby Declared, That they shall not have power to alter the Government as it is now settled in one single Person and a Parliament.

In

In Witness whereof we the parties above named to these presents interchangably set our Hands and Seals, the day and year first above written.

Thursday, June 8. 1654.

Ordered by His Highness the Lord Protector and His Counsel, That the several forms of Indentures between the Sheriff and the Electors of Persons to serve in Parliament for Counties, and of the Indentures between the Sheriff and the Burgeses and Inhabitants of Burroughs, be forthwith Printed and Published, and that printed Copies thereof be sent down to the several Sheriffs, to the end the Indentures may be made according to these Forms.

Henry Scobell, Clerk of the Counsel.

An Ordinance for an Assessment for six Moneths from June 24, 1654. for the maintenance of the Armies and Navies of this Commonwealth, at the rate of one hundred and twenty thousand pounds *per mensem*, for the first three Moneths. And at the rate of ninety thousand pounds *per mensem*, for the last three Moneths thereof.

**B**E it Ordained and Declared by his Highness the Lord Protector, with the consent of his Counsel, And it is hereby Ordained, That towards the maintenance of the Armies and Navies of this Commonwealth, an Assessment of one hundred and twenty thousand pounds *per mensem*, for three Moneths, commencing the four and twentieth day of June, 1654. and ending the nine and twentieth day of September following. And of ninety thousand pounds *per mensem*, for three Moneths commencing the said nine and twentieth of September, 1654. and ending the five and twentieth day of December following, shall be Taxed, Collected, Levied and paid in England and Wales, in such sort as hereafter is expressed, That is to say, The said first three Moneths Assessment of one hundred and twenty thousand pounds by the Moneth, from the four and twentieth of June, 1654. to the nine and twentieth of September following, shall be Taxed, Collected, Levied and in the several Counties, Cities, Towns and Places in England and Wales by the several Dums, and according to the several Rates and Proportions, and in such manner, as in and by a late Act of Parliament, Entituled, An Act for an Assessment at the rate of one hundred and twenty thousand pounds by the Moneth, for six Moneths, from the five and twentieth day of December, 1653. to the four and twentieth day of June then ensuing, towards the maintenance of the Armies and Navies of this Commonwealth, and published the four and twentieth day of November one thousand six hundred fifty three; the said six Moneths

Moneths Assessment of one hundred and twenty thousand pounds per mensur, was appointed to be Levied, Collected and paid.

And bee it further Ordained by the Authority aforesaid, That the said Sum of ninety thousand pounds per mensur, for the latter three Moneths Assessment to commence from the twenty ninth of September, one thousand six hundred fifty four, to the five and twentieth day of December then next following, towards the maintenance of the said Armies and Rabies of this Commonwealth, shall for every Moneth of the said three Moneths be Assessed, Taxed, Levied and Paid, in the several Counties and Places in England and Wales, according to the several Sums and Proportions hereafter expressed, viz. for every Moneth of the said latter three Moneths.

**U**Pon the County of Bedford, the sum of one thousand two hundred pounds.

The County of Berks, the sum of one thousand four hundred pounds.

The County of Bucks, the sum of one thousand six hundred and fifty pounds.

The County of Cambridge, the sum of one thousand four hundred and seventeen pounds and ten shillings.

The Isle of Ely, the sum of four hundred seventy two pounds and ten shillings.

The County of Chester, the sum of nine hundred and ninety pounds.

The City and County of the City of Chester, the sum of one hundred and ten pounds.

The County of Cornwall, the sum of two thousand one hundred pounds.

The County of Cumberland, the sum of one hundred thirty eight pounds seventeen shillings.

The County of Derby, the sum of one thousand two hundred pounds.

The County of Devon, the sum of three thousand eight hundred fifty two pounds.

The City and County of the City of Exon, the sum of one hundred thirty eight pounds.

The County of Dorset, the sum of one thousand six hundred eighty six pounds and five shillings.

The Town and County of Pool, the sum of thirteen pounds and fifteen shillings.

The County of Durham, the sum of one hundred ninety seven pounds twelve shillings eight pence.

The County of York, with the City and County of the City of York, the sum of three thousand nine hundred and thirteen pounds.

The Town and County of Kingston upon Hull the sum of eighty seven pounds.

The County of Essex, the sum of four thousand five hundred pounds.

The County of Gloucester, the sum of two thousand ninety one pounds.

The City and County of the City of Gloucester, the sum of two hundred and nine pounds.

The



The Countie of Hereford, the sum of one thousand five hundred pounds.

The Countie of Hereford, the sum of one thousand eight hundred pounds.

The Countie of Huntingdon, the sum of eight hundred pounds.

The Countie of Kent, with the City and County of the City of Canterbury, the sum of four thousand seven hundred pounds.

The Countie of Lancaster, the sum of one thousand five hundred pounds.

The Countie of Leicester, the sum of one thousand five hundred pounds.

The Countie of Lincoln, with the City and County of the City of Lincoln, the sum of three thousand five hundred pounds.

The City of London, the sum of six thousand pounds.

The Countie of Middlesex, with the City and County of Westminster, the sum of two thousand three hundred pounds.

The County of Monmouth, the sum of six hundred pounds.

The County of Northampton, the sum of one thousand eight hundred pounds.

The County of Nottingham, the sum of one thousand one hundred pounds.

The Town and County of Nottingham, the sum of six hundred pounds.

The County of Norfolk, the sum of four thousand six hundred pounds.

The City and County of the City of Norwich, the sum of four hundred and forty pounds.

The County of Northumberland, the sum of two hundred thirty one pounds eight shillings and four pence.

The Town of Newcastle, the sum of forty five pounds.

The County of Oxon, the sum of one thousand four hundred and fifty pounds.

The County of Rutland, the sum of three hundred and fifty pounds.

The County of Salop, the sum of one thousand seven hundred pounds.

The County of Stafford, with the City of Lichfield, the sum of one thousand two hundred pounds.

The County of Somerset, the sum of three hundred and fifty pounds.

The City and County of the City of Bristol, the sum of two hundred and twenty pounds.

The County of Southampton, with the Town and County of Southampton, the sum of two thousand six hundred pounds.

The Countie of Suffolk, the sum of four thousand seven hundred pounds.

The County of Surrey, the sum of two thousand and thirty pounds.

The Burroughs of Southwark, the sum of two hundred thirty seven pounds and ten shillings.

The County of Sussex, the sum of two thousand four hundred and fifty pounds.

The County of Warwick, with the City and County of the City of Coventry, the sum of one thousand six hundred pounds.

The County of Worcester, with the City and County of the City of Worcester, the sum of one thousand six hundred pounds.

The County of Wilt, the sum of two thousand five hundred pounds.

The County of Westmorland, the sum of ninety five pounds and ten shillings.

The Isle of Anglesey, the sum of one hundred seventy four pounds, and ten shillings.

The County of Brecknock, the sum of four hundred sixty five pounds.

The County of Cardigan, the sum of five hundred fourty nine pounds.

The County of Carmarthen, the sum of four hundred thirty three pounds.

The County of Ceredigion, the sum of two hundred and sixty pounds.

The County of Denbigh, the sum of three hundred and thirty pounds.

The County of Flint, the sum of one hundred seventy four pounds and ten shillings.

The County of Glamorgan, the sum of five hundred and thirty pounds.

The County of Merioneth, the sum of one hundred and thirty pounds.

The County of Montgomery, the sum of three hundred and eighty pounds.

The County of Pembroke, the sum of five hundred twenty two pounds.

The County of Radnor, the sum of three hundred twenty seven pounds.

The Town of Haverford-west, the sum of eighteen pounds fifteen shillings.

The Town of Brecknock, the sum of seven pounds and ten shillings.

And be it further Ordered, That the several Commissioners, and other persons nominated and mentioned in the said late Act of Parliament, Entituled, An Act for an Assessment, at the rate of one hundred and twenty thousand pounds by the month, for six months, from the twenty fifth day of December, One thousand six hundred fifty three, to the twenty fourth day of June then next ensuing, towards the maintenance of the Armies and Navies of this Commonwealth, and such persons who have by any Order of the late Parliament, or by the High Court of Chancery, and his Counsel, been thereunto since added, and authorized to act as Commissioners, shall be and they are lawfully appointed and continued to be Commissioners, and shall have, use, exercise, and put in execution all the powers now authorized by the assenting, collecting, levying & paying the present six months Assessment hereby appointed to be assessed upon the persons and estates of all former assessments which they

had, and were impowered and appointed to use and exercise by the said recited Act, for the Assessing, Collecting, Levying and payment of the aforesaid six months Assessment of one hundred and twenty thousand pounds by the month; And that the several rules, directions, clauses, and proviso's mentioned and contained in the said recited Act, and the powers and authorities thereby given to all and every the persons therein named or mentioned, shall endure and have continuance for six months longer, viz. from the said twenty fourth day of June, One thousand six hundred fifty four, to the twenty fifth of December next following: For the better effecting whereof, it is hereby further Ordained, That the several and respective Commissioners hereby appointed and continued for the said several and respective Counties, Cities, and Towns, shall meet together at the most common and usual place of meeting in each of the said Counties, Cities and Towns respectively, on or before the twentieth day of June, One thousand six hundred fifty four. And the said Commissioners, or so many of them as shall then and there attend, and be present, shall cause this present Ordinance to be put in execution (for the ordering, directing, managing, levying, and bringing in the Monthly Assessment by this Ordinance required) and shall then (if they see cause) appoint a second General meeting, on or before the twelfth day of July, One thousand six hundred fifty four, to the end the rules and directions in this Ordinance given and prescribed, may be, as is before declared, timely and effectually prosecuted and observed, so as the full sum of the first three Months Assessment charged upon each division, hundred, parish and place, may be at once wholly collected and paid in to the respective Receivers General, at or before the Twentieth day of July next; And the later three Months Assessment to be also fully collected and paid in to the said respective Receivers General, at or before the tenth day of October next; And it is hereby further Ordained, That in case the way or manner of Assessing by a Survey, and pound rate, in such sort as is prescribed by the said recited Act, shall prove prejudicial, and obstructive to the bringing in of the present six Months Assessment hereby appointed and ordained, by the times limited for paying in of the same, That then, and in all such cases the said Commissioners in any of the said Counties, Cities, Towns and places, in the said recited Act mentioned, where such obstructions shall be or happen or the major part of them present at their general meeting, may, and are hereby Authorized (for the removal of such obstructions, and the more speedy and effectual execution of this Ordinance) to proceed according to the most just and equal way of rates held in such places in the proportioning levying, and Assessing the respective Sums charged upon them, and every of them, any thing in the said recited Act to the contrary thereof contained in any wise notwithstanding.

*Thursday, June 8. 1654.*

Ordered by His Highness the Lord Protector and the Council, That this Ordinance bee forthwith Printed and Published.

*Henry Scobel, Clerk of the Council.*

*II 2*

*Thursday,*



Thursday, June 8. 1654.

**O**rdred by His Highness the Lord PROTECTOR and the COUNCIL, that the several persons here under-named, bee, and are hereby constituted and appointed Commissioners for the Assessments, in the several Counties and Places here under-written respectively: and they are hereby impowred to Act as Commissioners, as fully, to all intents and purposes, as any the Commissioners named in the last Act may, or have power to do, by this present Ordinance.

*For the Citie and Countie of the Citie of Gloucester.*

Thomas Hodges, William Shepheard, William Neast, John Croft, Thomas Wall, John Millington, Esquires. Francis Harris, Gent.

*For the Citie of Westminster and liberties thereof.*

John Hooker Esquire: George Merifield, Henry Field, John Throckmorton, John Brown.

*For the Countie of Cornwall.*

Hugh Bolcawen, Anthony Nicholl, John Moyle, Thomas Gewen, Thomas Ceeley, John Thomas, Thomas Penwarne, Esquires.

*For the Countie of Suffolk.*

Robert Knowlys, Esquire.

*For the Countie of Berks.*

William Nelson of Chadleworth, Esquire.

*For the Countie of Surrey,*

Robert Cross of Richmond, Samuel Rons Esquires,

*For the Countie of York and the Citie of York.*

Sir Robert Berwick.

*For the Countie of Cambridge.*

Col. Robert Cattle, Major Agricola Waylett.

*For the Countie of Worcester.*

John Edoke, John Naufan, John Barker, Richard Varicon, Esquires.

*For the Countie of Glamorgan.*

Sir Thomas Lewis, Knight; Herbert Evans, Esquire; Robert Williams of St Hillory; William Bassett of Bewper, Esq; William Bassett of Miskin, Esquire; Richard Evans, Gent.

*For the Countie of Somerset.*

Col. Nathanael Whetham.

*For the Countie of Middlesex.*

Mr. Thomas Ayres, Mr. Richard Wilcox.

*For the Isle of Ely.*

William Fisher, Esq;

*For the Countie of Stafford.*

Edward Bagot of Blithfield.

Hen. Scabell, Clerk of the Counsel.

An

An Ordinance for enabling the Judge, or Judges  
of the Northern Circuit, to hold Assizes and  
Gaol-Deliveries as *Durham*.

**F**or the more speedy Administration of Justice within the  
Countie of Durham, and that Trials and Determinations  
of Actions and Sutes now depending in the said Countie, or  
which are commenced, or to be commenced in any Court or  
Courts of Record at Westminster, and laid triable, or to be tried  
within the said County may be had, and that Fines may be levied,  
and common Recoveries and other assurances of Mannors, Lands,  
Tenements, and Hereditaments, lying within the said County,  
may be had, suffered, and perfected, and that the Gaol of the said  
County may be delivered of the Prisoners therein being, or  
which at any time hereafter shall be in the Gaol of the said  
County, Be it Ordained by his Highness the Lord Protector of  
the Common-wealth of England, Scotland, and Ireland, and the  
Dominions thereto belonging, by and with the consent of his  
Council, That Sessions of Assizes, Nisi prius, Oyer and Terminer,  
and general Gaol-deliveries for the said Countie of Durham, shall  
from time to time until further Order, be holden and kept at the  
City of Durham, by the Justice or Justices which from time to  
time hereafter shall be assigned or appointed for the Northern Cir-  
cuit. And that all actions aswell real as personal, and all other ac-  
tions mixt or otherwise, and all Pleas, Precepts, Writs, Process,  
Demurrers, Recognizances, Fines, Recoveries, and all other  
Proceedings, matters and things which were depending in the  
Court of Pleas at Durham, upon the two and twentieth day of  
August, one thousand six hundred fortye and two, or at any time  
since, and are now discontinued and put without day, by not com-  
ing of the Justices, shall be and stand revived, recontinued, and of  
as full force and effect in Law, to all intents and purposes, as they  
were the said two and twentieth day of August, one thousand six  
hundred fortye two, or at any time since: And that all such Pro-  
cesses, Pleas, Demurrers, and Proceedings, and every such action,  
and actions, sutes, bills or plaints, which were depending upon the  
said two and twentieth day of August, One thousand six hundred  
fortye two, or at any time since, shall stand good and effectual, and  
be proceeded in, and sued forth in such manner and form, and be in  
the same plight, estate, condition, and order, as if the same discon-  
tinuance, obstruction, or hinderance had never happened any dis-  
continuance, miscontinuance, obstruction, putting without day, or  
not prosecuting of the same to the contrary notwithstanding: And  
that the said Justice, or Justices, so to be assigned as aforesaid,  
after such time as hee or they shall have the Records of the same  
pleas, or process before him or them, shall have full power and au-  
thority

thority to continue the same pleas, process, and all things that depend upon them, and to hear, and finally to determine thereupon, according as any other Justice, or Justices of any Sessions heretofore held at Durham, before the said two and twentieth day of August, One thousand six hundred forty two, might or ought to have done, in case there had not been any obstruction, discontinuances, or not coming of the said Justices as aforesaid.

And be it further Ordained, That in all actions now depending, or which hereafter shall be depending in the Courts of Upper Bench, Common-Pleas, and Exchequer at Westminster, or any of them, for any matter or cause arising within the said County of Durham, or triable in the said County, and now at Issue, or which shall at any time or times hereafter, be brought to Issue, shall by such means, Process, Writs, and Proceedings, as in like cases in other Counties is usual, to be tried in the said County of Durham; And after such trials had, shall be further proceeded in, in the said several and respective Courts, according to Law, as in like cases upon trials in any other Counties in England.

And likewise that all Writs and Process, which have since the two and twentieth of August, One thousand six hundred forty two, issued forth of the said several Courts of Upper Bench, Common Bench, and Exchequer at Westminster, or any of them, directed to the Sheriff of the County of Durham for the time being, and all other Returns, and other Proceedings thereupon, shall be as good and effectual in the Law, to all intents and purposes, as any the like Writs and Processes, directed to other Sheriffs, of any other Counties of England, and Returns and other Proceedings thereupon, are, or ought to be; And that such further Process, Proceeding, Trial, Judgment, and Execution, may be had thereupon, as in other Counties upon the like Writs, Process, and Actions. And that they the aforesaid Justice, or Justices, to be assigned, shall likewise hear and determine all, and all manner of Treasons, Petty-Treasons, Murders, Manslaughters, Felonies, Burglaries, Rapes, Trespasses, Riots, Routs, unlawful Assemblies, and all other offences and injuries whatsoever, triable, done, or committed by any person or persons whatsoever, within the said Countie of Durham, against any the Statutes, or Laws of this Nation, in such cases made and provided. And also from time to time to make, or cause to be made, Deliberie and Deliberies of the Gaol of the said County, according to the Law and Customs of England; and that the said Justice, or Justices, shall act, do and perform the said matters and things, and all other matters and things, in such manner and form, as any other Justice, or Justices of Assize, or other Justice of the Pleas of the Crown, Common Pleas, and other Pleas at Durham, or any of them, have usually and respectively acted, done, and performed at any time heretofore.

And



And the Lords Commissioners for the great Seal of England, are hereby required and authorized, from time to time to issue forth to the said Justices or Justices, to be assigned as aforesaid, for the execution of the premises, such Commission or Commissions, as into other Counties of England, and so shall be issued, and commanding and enjoining likewise the Sheriffs of the said County of Durham for the time being, that they cause Proclamation and notice to be given, within all places within the said County, as well within Liberties as without. To all Knights, Barons, Knights, Justices, Mayors, Esquires, Eschevours, Officers, Ministers, and other persons whatsoever, dwelling and residing within the said County, having any thing to do in any of the said Sessions, that they then and there attend upon the said Justice and Justices, and be in all things, requisite to them, aiding and assisting.

And it is further Ordained and Declared, by the Authority aforesaid, That as well all such Fines and common recoveries of any Honours, Manors, Lands, Tenements or Hereditaments, lying or being within the said County of Durham, as were taken before the Justice, or Justices, of any Assizes holden at Durham aforesaid, at any time or times since the said time and twentieth of August, One thousand six hundred forty two, or which have been, or shall hereafter be taken, or acknowledged, at any Assizes hereafter to be holden at Durham as aforesaid, or which shall be taken and acknowledged, by virtue of any Commission directed to any Judge of either Bench, Barons of the publick Exchequer, Serjeant at Law, or any other Special Commissioners, according to the accustomed manner of taking Fines, and likewise recoveries of Lands lying in any other County within the Common Law of England, shall be ordered, entered and registered, and likewise proceeded in for perfecting thereof, in the Court of Common Pleas at Westminster, and in such Offices and places, and in such manner and form, and by and before such Officers, as other Fines and recoveries respectively taken off, or the Lands, Tenements, and other Hereditaments lying within any other County or Counties of England, which are not, or have not been Counties Palatine, are, and have been usually entered, recorded, registered, ordered and otherwise proceeded in: And that all Writs of Captivity, Writs of Entry, and didimus Breve, to take the Captions, or acknowledgements of Fines and Warrants of Attorney for recoveries within the said County of Durham, shall be issued and made by the present Coroner of the County of Northampton and Hereford, who has also sworn and qualified Coroner for the said County of Durham, by the Lords Commissioners of the great Seal, in as full and ample manner and form, as any Writs of the like nature are, or have been heretofore usually issued and made, by any of the Coronors of the County of England, in any other of the Counties of England: which Fines and Fines, and all every Recovery and Recoveries heretofore taken, or suffered, or hereafter to be judged or suffered, of any Honours, Manors, Lands, Tenements, or Hereditaments, lying or being

ing to the said County of Durham, in manner and form aforesaid, or heretofore passed in the Court of Common Pleas at Westminster, of any Lands or Tenements in the said County, shall bee of the same and the like force, strength, and effect in Law, to all intents, constructions and purposes, as any other Fine or Fines levied, and common Recoveries suffered, in the said Court of Common Pleas at Westminster, of Lands lying in any other County, are or to, any Law, Statute, Custom or usage to the contrary notwithstanding.

And bee it also Ordained by the Authority aforesaid, That this Ordinance, and all and every Clause, Article, matter and thing therein contained, shall stand, remain, and bee in full force and effect, to all intents, constructions and purposes, until further Order to the contrary.

Ordered by His Highness the Lord Protector, and the Council, That this Ordinance bee forthwith Printed and Published.

Witness the Hand of His Highness the Lord Protector, and the Council, at London, the 9th day of June, 1554.

John Schell, Clerk of the Council.

Printed by I. I. at the Signe of the Crown in the Strand.

An Ordinance for Relief of Creditors and Poor

Prisoners.

Enacted by the late Act of Parliament.

Enacted, An

Act for the Relief of Creditors and poor Prisoners,

Henry Proby, Peter Elliston, and others in the said

Act, in any three or more of them were thereby,

as to all persons that were committed on the 1st of October, and

thereafter by hundred fifty three, or which should bee committed before

the twentieth day of the said month of October, to the Upper Bench

Prison, or to the Prison of the Fleet, Gate-house in Westminster,

Countess in Surrey, or Prison in White-Chappel, in any of the said

and not from thence lawfully discharged, were Judges to hear and

determine the Causes of such person's imprisonment, and of the

shape of such Prisoners in a summary way, and to be as by the

said Act is further directed. The execution of which Act, and of

the Powers and Authorities given by the same, by Ordinance of

his Highness the Lord Protector, and his Council, for twelvemonth

Countess, was suspended until the one and twentieth of May: And

thereafter by hundred fifty four. And byasmuch as sundry complaints

have been made unto his Highness the Lord Protector, and

his Council, and due consideration had that the Lands, Hereditaments,

Goods and Chattels of divers other persons than the said

Prisoners, whereof such persons were lawfully seized and possessed at

the time of the making the said Act, may by construction of several

Clauses, therein to bee sold, leases, granted, or otherwise disposed

by the Judges in the said Act appointed for satisfaction of the Cre-

ditors of such Prisoners as aforesaid, as for the said Prisoners

debts

debts notwithstanding that such other persons so seized and possessed, had at the time of making the said Act as sufficient an Estate in, and right to, such Lands, Goods, and Hereditaments according to the Law to all intents, as any other person had or hath in any his Lands, Goods, or Hereditaments whatsoever.

Be it therefore Ordained by his Highness the Lord Protector by the advice of his Counsel, That Nathaniel Bacon, Francis Bacon, Arthur Barnardiston, Peter Elliston, John Parker, Henry Pitt, Edmund Giles, Robert Aldworth, John Wilsby, Peter Breereton, Clement Ileson, and Robert Warcupp, Esqs; or any five or more of them, and no other person, shall be, and hereby are made Judges to hear and determine from the eight day of June instant, the causes of imprisonment of any such Prisoners, counted as aforesaid to any the Prisons before mentioned, and to do and execute in pursuance of the said Act for the relief of Creditors and poor Prisoners, according to the explanations and alterations thereof, made by this present Ordinance, and not otherwise: That is to say, that all the Estate Real or Personal, of any such Prisoner, or other person, for whose debt the said Prisoner is imprisoned, whereof he was seized or possessed to his own use in possession, reversion, or remainder the said fifth day of October, one thousand six hundred fifty three, or thence, or whereof he shall be seized or possessed before the fifth day of October, one thousand six hundred fifty four, or which any person or persons was or were the said fifth day of October, one thousand six hundred fifty three, or thence, or at any time before the said fifth day of October next, shall become seized or possessed of in trust for any such Prisoner, or other person, for whose debt the said Prisoner was imprisoned, and which such Prisoner or Prisoners or other Person, the said fifth day of October, or any time thence might, or hereafter may, before the said fifth of October next, lawfully convey or dispose for payment of his or their Debts by Law or Equity, shall and may by the said Judges, or any five or more of them, be leased, granted, charged, sold, or any otherwise disposed, for payment of such Prisoners or other persons Debts.

Provided always that upon any sale or other disposing of such Estate as aforesaid, all debts due to the Commonwealth, Debts secured or due by Statutes, Judgements, or Recognizances shall be first paid, to wit, the principal Debt, Interest and Charges and no more, in such Order as by Law they ought to have been before the making of the said Act for relief of Creditors and poor Prisoners, and if any the said Prisoners, or other persons for whose debt any such Prisoner was imprisoned, have heretofore made any conveyance or settlement of any Lands, Tenements or Hereditaments, Goods, or Chattles to any person or persons, with power of revocation in such Prisoner or Prisoners, or other such person, which power of revocation might have been by such Prisoner or Prisoners, or other persons, executed the said fifth of October, one thousand six hundred fifty three, or since, or may be executed before the fifth of October, one thousand six hundred fifty four, all such Lands, Tenements, and Hereditaments, Goods and Chattles, shall be sold, leased or disposed by the Judges hereby appointed, or any five or more of them, as fully



to all intents, for payment of such Prisoners or other persons debts; as if the said revocation had been actually made by such Prisoner or person according to the true intent and meaning of the said power of revocation. And the said Judges, or any five or more of them, shall have power to examine any Postgage formerly made of any Lands, Tenements, or Hereditaments, or any Lease or Leases upon condition, by any such Prisoner or other person, or any his Ancestors, granted for security of Money lent, and where any such Prisoner, or other person, hath lawful and equitable right of Entry, for any condition broken or right of Redemption in Law or Equity upon any Postgage so made and not forfeited by the space of seven years last past, the said Judges, first satisfying the principal Money for which such Lands or Hereditaments, Goods or Chattles were mortgaged, and all interest and other charges grown due, may sell or otherwise dispose all such Lands and Hereditaments, Goods and Chattles, Leased or Postgaged, as aforesaid, for payment of such Prisoners, or other persons debts. And the said Judges or any five or more of them, are hereby further authorized to examine all fraudulent Grants, Leases and Conveyances whatsoever made by any such Prisoners, or other person for whose debt any such prisoner was imprisoned as aforesaid of any their Lands, Hereditaments, Goods or Chattles, and all Judgements, Statutes, Recognizances or Bonds by them entered into, and any other Act or Acts done, with intent to defraud Creditors, which by any Law or Statute now in force (other then by the said Act for relief of Creditors and poor prisoners) are declared to be void against Creditors, and upon due proof made unto a Jury of any such fraudulent Grant, Act or conveyance, or of any wilful concealing such fraud, the said Judges may sell and dispose for Payment of such Debts as are before mentioned, all such Lands, Hereditaments, Goods, and Chattles so granted, conveyed, extended or to be extended, had or to be had in execution, in such manner as is before mentioned touching other the Lands, Goods, or Hereditaments, of any such Prisoner or other persons, and punish any such concealment of fraud as by any Law or Statute in force (other then the said Act for relief of Creditors and poor Prisoners) is appointed and Ordained, and in case any such prisoner hath escaped out of any the said prisons since the fifth day of October, one thousand six hundred fifty three, or hereafter shall escape before the fifth day of October, one thousand six hundred fifty four, upon due proof made or to be made of such escape, the estate and trusts of estate real and personal of such prisoner escaped, shall be sold and disposed by the said Judges for satisfaction of the Creditors, at whose suit such prisoner was imprisoned, in like manner (and no other wise) as they might have sold or disposed the estate real and personal, if such prisoner had still remained in custody.

Provided always, That upon any Sale, Lease, or other disposition to be made as aforesaid of any prisoner, or other persons real or personal estate, the said Judges shall openly put a value upon the estate declared to be sold, Leased, or Disposed, and before the Sale or Disposition thereof, the said prisoner or other person, concerned, his heir, executor or administrator, as the case required, shall



shall have notice thereof, and if such Prisoner or other person concerned, his Heir, Executor, or Administrator shall within six weeks pay in ready Money, as much as the said Estate, to be sold or otherwise disposed, was valued at as aforesaid, or otherwise give security to the Creditors for the said sum to their liking, the said Judges shall forbear to make sale of such Estate; but in default of such payment, or security given, they shall proceed to sale, or other disposition thereof at the highest rate they can sell the same at, provided it be not less than the value of them formerly set as aforesaid. And all and every sale or other disposition of any Prisoner or other persons Estate made as aforesaid, shall be good and effectual in Law against such Prisoner and such other persons, their Trustees and all and every their Heirs general or special claiming by descent to all intents and purposes, saving always to all persons, other than such whose Estates may be sold as aforesaid, their respective right to any Lands, Hereditaments, Goods or Chattels, that shall happen to be sold or disposed as aforesaid; as if the said Act for Relief of Creditors and poor Prisoners and this present Ordinance, had not been made.

And it is hereby further Ordained, That no Estate real or personal of any Prisoner or other person shall be taken to be any Estate to be sold, discharged or disposed within the meaning of the said former Act, Entituled, An Act for Relief of Creditors and poor Prisoners, other than such Estates as are by this present Ordinance declared to be sold and disposed for payment of Debts, in manner before expressed. And that no Prisoner shall be accounted a Prisoner whose Estate is to be sold or disposed within the meaning of the said Act, but such as were actually Prisoners the fifth day of October, One thousand six hundred fifty three, or before the twentieth of October then next following, or who being Prisoners as aforesaid, are since dead, or shall dye before the fifth of October next, leaving their Debts undischarged.

Provided also, That the said Judges shall not intermeddle in the Sale or Disposing of any Land Ordered or Decreed to be sold for payment of Debts by the High Court of Chancery, but that the same be left to be wholly disposed as the said Court of Chancery shall Order and Provide.

And it is further Ordained, That all Persons, by the said Act for relief of Creditors and poor Prisoners, made Judges, as to all Prisoners and Persons, committed to other Prisons than as before mentioned, within the respective Counties, Cities, and Towns Corporate, within this Commonwealth, shall from and after the eighth day of June, One thousand six hundred fifty four, proceed in the Execution of the said Act, as to the release of any Prisoners, in every respect according to the meaning of the Act, Entituled, An Act for relief of Creditors and poor Prisoners, but not as to the Sale or Disposition of any Lands or Goods but according to the Explanations and Alterations thereof made by this present Ordinance, and not otherwise.

Provided also, That no Creditor shall have advantage or benefit of any Sale, as aforesaid, made for or towards satisfaction of the

Debt, unless he give a legal Discharge of the whole or part of his said Debt, as the Case requires, to be Ordered by the said Judges.

And bee it further Ordained by Authority aforesaid, That it shall and may be lawful for the several Judges Authorized by this Ordinance, upon Good and Sufficient Security taken of all such of the said Prisoners, as they think fit, to permit the said Prisoners to go out of Prison for some convenient time, the better to enable such Prisoners to assist in Sale of their Estates, or take other Course for payment of their said Debts, and that such permission of such Prisoners to go out of Prison upon Bail for the Cause aforesaid, shall not be adjudged to be any Escape.

And it is lastly hereby Ordained, That the said Act for relief of Creditors and poor Prisoners, and this present Ordinance for Explanation thereof, shall continue in force until the fifth day of October, one thousand six hundred fifty four, and no longer.

Provided always, That neither the said Act, Entituled, An Act for relief of Creditors and poor Prisoners, nor this present Ordinance, nor any thing therein contained, shall extend, nor be construed to extend to empower the Judges aforesaid to examine, impeach, or abate any Execution, Judgement or Decree, had and obtained against such Prisoner or other person herein intended, save only so far as to examine what is due thereupon.

Provided also, That this Ordinance or any thing therein contained, shall not extend or be construed to extend to empower the Judges aforesaid to make Sale of any the Lands formerly by the said Act, Entituled, An Act for relief of Creditors and poor Prisoners, exempted from Sale.

Friday, June 9. 1654.

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

## An Ordinance for Establishing an High Court of Justice.

**B**E it Ordained by His Highness the Lord Protector, by and with the Advice and consent of his Counsel, That John Lisle, one of the Lords Commissioners of the Great Seal, Edward Ackins one of the Justices of the Court of Common-Pleas, Richard Ask, one of the Justices of the Court of the upper Bench, Robert Nicholas, one of the Barons of the Court of the Publick Exchequer, William Steele Sergeant at Law, Recorder of the City of London, John Corbet Esq; Robert Tichburn, Stephen Eastwick, Thomas Andrews, Mark Hildesly, William Underwood, Thomas Allen, Aldermen of London, Matthew Sheppard, George Langham, Maurice Thompson, Richard Shute, Daniel Taylor, Edmund Waring, Esqs; Sir William Roberts Knight, George Cooper, Edward Cresset, William Webb, Esqs; Sir John Thorowgood of Kensington Knight, William Ligon, Anthony Rous, Richard

Richard Lucy, James Phillips, Edward Winslow, John Stone, Thomas Fauconberg, Alban Cox and John Bocket, Esqs; or any thirteen or more of them, shall be Commissioners, and shall have full Power and Authority, and are hereby Authorized and Required to hear and determine all the Matters, Crimes and Offences mentioned in an Ordinance thus Entituled, [An Ordinance declaring that the Offences herein mentioned, and no other, shall be adjudged High Treason, within the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging,] And also to hear and determine all misprisions of Treason, and upon Proof made before the said Commissioners, or any thirteen or more of them, to proceed to the Trial, Conviction, Condemnation and Execution of the Offender and Offenders, and to inflict upon him, her, or them, such punishment, either by Death, Fine, Imprisonment or otherwise, as the said Commissioners, or the major part of them then present, shall judge to appertain to Justice according to the nature of the Offence.

And it is hereby Ordained, That the said Commissioners, or any thirteen or more of them, shall be, and are hereby Authorized and Constituted an High Court of Justice, to meet and sit at such convenient time and place, from time to time, as by the said Commissioners, or the major part of thirteen or more of them, under their Hands and Seals shall be appointed and notified by public Proclamation in the great Hall or Palace-yard at Westminster, and to Adjourn from time to time, and place to place as the said High Court or the major part thereof meeting, shall hold sit. And to take order for the charging of Offenders with all or any of the Crimes, matters and things aforesaid, and for the receiving their personal Answer therunto, and for the examination of Witnesses upon Oath (which the Court hath hereby Authority to administer) or otherwise, and taking any other Evidence concerning the same. And thereupon, or in default of such answer, to proceed to Conviction and final Sentence according to Justice and the merit of the Cause, and such final Sentence to execute or cause to be executed speedily and impartially. And the said Commissioners or any thirteen or more of them, shall have Power and Authority to appoint all Officers needful for the putting in execution the matters and things in this Ordinance contained.

And it is hereby further Ordained, That it shall be in the power of the said Commissioners, or any thirteen or more of them, and they are hereby authorized to cause such Sentence or Sentences of Death to be given and executed by appointing such Offender or Offenders to be beheaded or hanged only, as to them shall seem meet, having regard to the nature of the Offence, any Law or Statute to the contrary notwithstanding.

And it is hereby Ordained, That all Mayors, Sheriffs, Justices of the Peace, Constables, Bayliffs, and other Officers and all Officers and Soldiers of the Army, and all other the good People of this Commonwealth shall be aiding and assisting to the said Commissioners in any of the Premises.

And be it further Ordained, That every of the Commissioners before named before he shall do or execute the Office of a Commissioner

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oner by virtue of this present Ordinance, shall take the Oath ensuing, viz.

**Y**ou shall swear, That you shall well and truly, according to the best of your skill and knowledge, execute the several Powers given unto you by this present Ordinance.

And the Lords Commissioners for the Great Seal of England, or any one of them, are hereby authorized to administer the said Oath accordingly. Provided, That the said Commissioners or any of them shall not by virtue or force of this present Ordinance or any Power thereby given unto them, examine, try, or proceed against any person or persons other than such who shall be first by name appointed by the Lord Protector, with the advice and consent of his Counsel, to be by them so examined, tried or proceeded against. Provided, That this Ordinance and the Authority thereby given shall endure and have continuance to the twentieth day of August next, and no longer.

*Tuesday, June 13: 1654*

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

*Henry Scobell Clerk of the Counsel.*

### An Ordinance for bringing the Publick Revenues of this Commonwealth into one Treasury.

**W**hereas upon Consideration had, It is found necessary, That the Moneys and other payments arising by the Publick Revenues of this Commonwealth, or which shall be raised for the uses thereof, should be paid into one Treasury, to the end the same may from time to time the more readily be employed and disposed as the occasions of the Commonwealth shall require.

That the Charges arising by the multiplicity of Treasuries or Receipts may be reduced, and the persons who shall be employed in receiving the same, be brought to a due Account. And whereas also the Receipt of the Publick Exchequer at Westminster is judged most fit, and convenient for that purpose.

Be it Ordained by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That from and after the four and twentieth day of June, One thousand six hundred fifty and four, The said Receipt shall be, and shall be called, The Receipt of the Exchequer of his Highness the Lord Protector, and shall be kept and executed in the usual and accustomed Places, Method, Manner, and way of Receipt of Exchequer, as formerly. And that all and every Sum and Sums of Money, and other Payments, which upon and after the said four and twentieth day of June, One thousand



land six hundred fifty and four, shall be received, or taken, or shall be come due or payable to, or for the use of his Highness the Lord Protector, and the Commonwealth, by any Commissioner, Treasurer, Receiver, Collector, Sheriff, Bayliff, Steward, Cicerone, or other Officer, Minister, or Person, Bodies Politick, or Corporate whatsoever, for any Fe-farm Rents, Anti-rents, Dy-rents, Out-rents, Annual Tenths, either of the Layty or Clergy, or for first fruits of the Clergy, or for or out of the Rents, Issues or Profits of any the Honors, Manors, Lands, Tenements, Hereditaments, Royalties, Franchises, or other Revenues, Certain or Casual, Tithes Appropriate, Inappropriate, or Rectories Inappropriate, with their appurtenances, late of or belonging to the late King, Queen, and Prince, Arch-Bishops, Bishops, Deans, Deans and Chapters, Arch-Deacons and Deacons, in right of their Offices, as also of Delinquents and Recusants, or any of them, or for or in respect of any Debts due to the late King, Queen or Prince, or to the late Keepers of the Liberty of England by Authority of Parliament, or forfeited by any the said Delinquents or Recusants to the Commonwealth, or for or in respect of any Composition, Contract, or Sale, of or for any the premises, or any part or parcel of them, or for or in respect of Customs and Subsidies upon Merchandizes, Pew Imposst and Excise, Sale, or other Disposition of Prize Goods, or for or in respect of any Confiscation, Seizure, Forfeiture, Fine, or other Penalty or Contempt, or upon or by any Judgement, Decree, Order or Award of any Court, Commissioners or Committee thereunto Authorized; And all and every Sum and Sums of Money, and other Payments whatsoever, which upon the said four and twentieth day of June shall be due, or from thenceforth shall arise, accrue, or grow due or payable to his Highness and the Commonwealth, by or from any Person or Persons whatsoever, Bodies Politick, or Corporate, by all or any the Ways or Means aforesaid, or by any other Ways or Means than are before specified, shall be paid into the said Receipt of the Exchequer, by all and every the Person and Persons, Bodies Politick and Corporate, who shall receive, or be liable to pay the same, any Law, Statute, Ordinance or Order of Parliament or any other Matter or Thing whatsoever to the contrary hereof, in any wise notwithstanding. For the payment of which Monies and every of them, Tallies letted and allowed according to the usual and accustomed course of the Exchequer, with the Alteration of the words upon the Tally from Latine to English, shall be to every Person and Persons, Bodies Politick and Corporate, so paying, and their Successors, Heirs, Executors, Administrators, and Assigns, respectively, sufficient Acquittance and Discharge.

And be it further Ordained and Declared by the Authority aforesaid, That from and after the said four and twentieth day of June, the said Receipt of the Exchequer of his Highness the Lord Protector shall be governed and ordered, And the Monies therein from time to time being and remaining, and to be there paid as aforesaid, shall be received and kept, and charged and accounted for, and also issued and paid out (by Warrant, as is herein, and hereby declared) according

according to the ancient method, usage and practice of the Receipt of the Exchequer, by such Person and Persons, Officer and Officers onely, and no other, than such as his Highness the Lord Protector shall from time to time, by Letters Patents under the Great Seal, constitute and appoint. And that every Person and Persons, Officer and Officers to be hereafter in that behalf so constituted and appointed, as aforesaid, shall and may from time to time have, use, exercise, and enjoy, all and every the like lawfull Powers, Privileges, Preeminences and Authorities, in relation to his and their severall Offices and Places, and the execution thereof, as any other Person or Persons, Officer or Officers of the Receipt of the Exchequer at Westminster, in the administration or execution of their or any of their Offices or Places at any time heretofore lawfully have, or of right might have, had, used, or enjoyed. And shall have and receive for and in respect of his and their execution of, and attendance in and upon his and their said Offices and Places respectively, such moderate Fees, Wages, Rewards and Allowances onely, as his Highness the Lord Protector, with the advice and consent of his Counsel, by the said Letters Patents, shall think fit to limit and appoint.

And be it further Ordained by the Authority aforesaid, That if any Person or Persons, Officer or Officers so authorized as aforesaid, shall at any time directly or indirectly, upon any pretence whatsoever, by colour of such his or their Office or Imployment, take or receive any other or greater fee or fees, sum or sums of Money, or other Gift, Reward, or Gratuity whatsoever, That then all and every such Person and Persons, Officer and Officers shall, upon proof or confession thereof before his Highnesss Counsel forfeit and lose his and their Place and Places, Office and Offices; and the Letters Patents in that behalf shall from thenceforth become void. And all and every Person and Persons, Officer and Officers so offending, shall also forfeit and pay treble the value of such fee or fees, Summe or Summes of Money, Gift, Reward, or Gratuity, unto such Person and Persons, as shall sue for the same, by Bill, Plaint, or Information in any Court of Record.

And bee it further Ordained, That all and every the Summe and Summes of Money, which from and after the said four and twentieth day of June shall be brought and paid into the said Receipt, shall be from time to time thence issued and paid by Warrant and Authority under the Great Seal, or under the Privy Seal, and not otherwise.

But as to the issuing of the Money mentioned in the nine and twentieth Article of the Government of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, The same shall not be granted but by consent of Parliament, or of the Lord Protector and major part of the Counsel, in the Intervals of Parliaments.

Provided, That this Ordinance, or any thing therein contained, shall not extend to any the Revenues of Ireland, or Monies raised there for the publick use, until his Highness the Lord Protector, or his Counsel, shall give Order therein.

Provided

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Provided also, That this Ordinance, or any thing therein contained, shall not extend to any the Lands, Tenements, Hereditaments, Revenues or Possessions of, or belonging to his Highness the Lord Protector, or his Successors Lords Protectors, in any other Capacity than as Lord Protector onely.

Wednesday, June 21. 1654.

Ordered by His Highness the Lord Protector, and His Counsel, That this Ordinance bee forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

An Ordinance appointing who shall bee Justices of Assize for the County Palatine of Lancaster.

**W**HEREAS by an Ordinance of his Highness the Lord Protector, and his Counsel, for reviving the jurisdiction of the County Palatine of Lancaster, and for holding of Assizes there, Matthew Hales, one of the Justices of the Court of Common-Pleas at Westminster, and Hugh Windham Sergeant at Law, were appointed Justices of Assize and Goal-delivery within the said County Palatine; Be it Ordained by his Highness the Lord Protector, by the advice of his Counsel, That from henceforth such of the Justices of the Court of the Upper Bench, or of the Justices of the Court of the Common-Pleas, or of the Barons of the Court of the Publick Exchequer, or Sergeants at Law, or one or more of them, as from time to time are or shall be appointed Judges for the time being, for the Northern Circuit, shall be Justices of Assizes and Goal-deliverie within the said County Palatine, in the room and place of the said Matthew Hales, and Hugh Windham, and the said Justices or either of them that are or shall be from time to time so appointed, shall and may do, do, and perform all matters and things, as well concerning Criminal as Common-Pleas: And all other Pleas and process whatsoever in such manner and form as any other Justice or Justices of Assizes at Lancaster have lawfully acted, don and performed at any time heretofore. And the Commissioner for keeping the Seal of the said County Palatine of Lancaster, (for the time being) is hereby authorized and appointed from time to time, to issue forth to the said Justices that are or shall be so appointed for the execution of the premises, such Commission or Commissions as in such cases have been heretofore in the said County Palatine used and accustomed.

Wednesday, June 21. 1654.

Ordered by His Highness the Lord Protector and the Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell, Clerk of the Council.

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## An Ordinance for giving further time for approbation of Publique Preachers.

**W**HEREAS by an Ordinance, Entituled, An Ordinance appointing Ministers for approbation of Publique Preachers; It is, among other things, Ordained, That in case any person who since the first day of April, One thousand six hundred fifty and three, hath been placed in any Benefice or Publique Lecture, shall not, before the four and twentieth day of June, One thousand six hundred fifty and four, obtain approbation and admittance, in manner as in the said Ordinance is expressed, Then the person or persons, who have right thereunto, shall or may present or nominate some other fit and able person to such place; Forasmuch as divers persons concerned in that Clause of the said Ordinance, have tendered themselves to approbation, whose cases could not by the time aforesaid be determined, Be it Ordained by his Highness the Lord Protector, by & with the Advice & Consent of his Council, That the said Commissioners be, & hereby are impowred to give Approbation and admittance to any person concerned in that clause of the said Ordinance, according to the rules mentioned and expressed in the said Ordinance, at any time before the three & twentieth day of July next, and that in the mean time no person or persons shall present or nominate any person to any Benefice or Publique Lecture, in the place of any such person, for want of such approbation, by the time aforesaid, any thing in the recited Ordinance to the contrary notwithstanding. But if such approbation and admittance be not by the said three and twentieth day of July obtained by the persons therein concerned, then such person or persons as have right thereunto may present or nominate some other fit and able person to such place, according to the said Ordinance.

Friday, June 23. 1654.

Ordered by His Highness, the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

## An Ordinance for the Regulation of Hackney Coachmen in London and the places adjacent.

**F**ORASMUCH as many Inconveniencies do daily arise by reason of the late increase and great irregularity of Hackney Coachmen and Hackney Coachmen in London, Westminster, and the places thereabouts: For remedy thereof, Be it Ordained by



by his Highness the Lord Protector, with the consent of his Council, That from the four and twentieth day of June, One thousand six hundred fifty and four ensuing, the number of persons keeping Hackney Coaches and Hackney Horses for Coaches, within the City of London, Westminster, and six miles about the late Lines of Communication, do not exceed at one time two hundred; nor the Hackney Coaches to be used by them, three hundred; nor their Hackney Horses for Coaches do not exceed the number of six hundred. And so; the better Ordering and Governing of the said Hackney Coachmen, Bee it ordained that the Government and Ordering of them shall from time to time be in the Court of Aldermen, of the City of London, in such manner as is hereby Ordained. And that Benjamin Francis, Andrew Clark, John Saltmarsh, Arthur Willis, Thomas Stephens, Anthony Hart, William Hockley, Thomas Graham, William Deacon, William Norwell, John Bray, Richard Heyborn, and William Clark, be thirteen of the first two hundred persons who shall keep Hackney Coaches, and Hackney Coach-horses as aforesaid; which said thirteen persons, or the greater number of them, meeting in some convenient place for that purpose, shall nominate and present to the said Court of Aldermen two hundred persons, out of which two hundred persons, nominated and presented as aforesaid, or such other persons as the said Court of Aldermen shall think fit, the said Court shall elect and chuse one hundred eighty and seven persons, to make up the thirteen Master Hackney Coachmen aforesaid, to the number of two hundred, who shall thereupon be admitted and entered to be Master Hackney Coachmen within the Limits aforesaid; And that no other person dwelling within the Limits aforesaid, not of the number, nor entered and admitted as aforesaid, shall keep to hire out any Coaches.

And it is further Ordained, That if any of the said two hundred Master Hackney Coachmen shall die, depart from the limits aforesaid, or be removed, that then the said Remaining Master Coachmen shall nominate and present to the said Court of Aldermen, double the number of such persons as shall die, depart the limits, or be removed as aforesaid, out of whom, or such others as the said Court of Aldermen shall think fit, the same Court shall from time to time elect and chuse so many as shall make up the number of two hundred persons as aforesaid.

Provided, That nothing herein contained, do extend to the prescription or restraint of the Coaches commonly called Stage Coaches, coming to, or going from London into remote places.

And be it further Ordained, That all and every of the said two hundred persons to be first admitted, and all that shall hereafter be admitted to keep Hackney Coaches as aforesaid, shall at their first admittance pay for his and their admission the sum of forty shillings a piece, towards raising a Stock, and so; defraying the common Charges of the said Company.

And lastly, For the better Ordering and Governing of the said Hackney Coachmen, and those employed under them, It is Ordained, That the said Court of Aldermen shall from time to time have power to make and ordain Rules, Directions and by-laws,

for and concerning the distribution of Coaches amongst the said Coachmen, their places of standing, their Rates for Carriages, Penalties for disobedience by them, or others, to the Provisions of this Ordinance, or to the said by-Laws; Also for due recovering of the same Penalties, and for removing of such as shall be Offenders, and for any other thing tending to the well Ordering of the said Coachmen, and to the due execution of this Ordinance: Which Rules, Directions, and by-Laws, being from time to time presented to and allowed by his Highness the Lord Protector and his Counsel for the time being, with such Alterations and Additions as shall by the said Lord Protector and his Counsel, be made thereunto, shall be binding to all parties, and accordingly be duly executed.

Friday, June 23. 1654.

Ordered by His Highness, the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

### An Ordinance for the further Encouragement of the Adventurers for Lands in Ireland, and of the Soldiers and other Planters there.

**H**is Highness the Lord Protector of the Common-wealth of England, Scotland and Ireland, and the Dominions thereunto belonging, taking into consideration how much the Honor and Safety of this Common-wealth is concerned in the speedy settling of Ireland; For the further encouragement of the Adventurers for Lands in Ireland, and of the Soldierery of the Army, and late reduced Forces there in their Plantations, And for the better ease of all the Proprietors of Lands, and all other the Inhabitants of Ireland; Doth Ordain, and be it Ordained by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That from and after the four and twentieth day of June, one thousand six hundred fifty and four, for and during the space of five years, from thence next ensuing, there shall be Rased, Assessed and Levied, upon all the Counties, Towns and Places in Ireland, and all the Estates real and personal therein, the several Sums and Proportions hereafter mentioned, and no more; That is to say, For two years, to commence the four and twentieth day of June, One thousand six hundred fifty and four, and ending the four and twentieth of June, One thousand six hundred fifty and six, Ten thousand pounds by the Month, for every Month during the said two years.

For one year commencing the four and twentieth day of June, One thousand six hundred fifty and six, and ending the four and twentieth day of June, One thousand six hundred fifty and seven, Twelve thousand pounds by the Month for every Month during that year.

For

For one year commencing the four and twentieth of June, One thousand six hundred fifty and seven, and ending the four and twentieth of June, One thousand six hundred fifty and eight, Thirteen thousand pounds by the Pound for every Pound during that year, and for one year, commencing the four and twentieth day of June, One thousand six hundred fifty and eight, and ending the four and twentieth of June, One thousand six hundred fifty and nine, fourteen thousand pounds by the Pound for every Pound during that year, accounting every Pound as they are in the Assessments in England.

Provided, That this shall not extend to charge any Manors, Lands, Tenements, Hereditaments, Rents, or Revenues belonging to any College, Hospital, Alms-house, or given to any charitable or pious use, towards the payment of the federal sums and proportions aforesaid, save onely for so much as the said Manors, Lands, Tenements, and Hereditaments, are and shall be respectively worth by the year, over and above the Rent and Revenue thereto respectively due and payable to the said Colleges, Hospitals, Alms-houses, Charitable or pious uses, and every of them respectively.

And be it further Ordained by the Authority aforesaid, That from and after the four and twentieth day of June, One thousand six hundred fifty and nine, all publick Assessments, Impositions and Levations whatsoever, be imposed, taxed and levied proportionably from all the Inhabitants of England and Ireland, so that whatsoever shall be generally and in most countries charged upon one hundred pounds by the year of Lands, or upon one hundred pounds personal Estate in England, the same and no more shall be charged upon one hundred pounds by the year of Lands, and upon one hundred pounds personal Estate in Ireland respectively, and so in proportion for greater or less sums. And that therein such manner and way of Imposing, Assessing and Levying shall be directed and used, as shall for the time being be directed and used in England.

Provided also, and it is Ordained, That during the said five years, no Lands unplanted, unemployed, or unimproved, shall during their being unplanted, unemployed or unimproved, be charged to pay any rate or proportion towards the said yearly Tax and Assessment hereby ascertained as aforesaid, nor any other publick Tax or Assessment whatsoever. And that no Forrage, Billes of Money, free quarter of any sort, Carriage, Carriage Money, Salt, Caddows, Small Rugs, Bedding, Bedcloths, or any Payment or Publick Tax, Burthen or Charge whatsoever, for or to the use or in behalf of the State be layed, assessed or taken from any the Inhabitants, Owners or Occupiers of Lands in Ireland, but according to this Ordinance; And that no Officers or Soldiers Quarters be taken, or had in private houses without the consent of the respective Inhabitants, but onely when and where there is no other Provision for them, and at such time and in such case every Officer and Soldier shall pay a reasonable rate or value for the same; And in default thereof, the captain or other



other Officer on the place, immediately commanding the defaulter or defaulters, shall pay the same, and is hereby impowred to retaine or detain or detain so much of the pay of every Soldier making default, as hee shall pay for him.

Provided, That it shall and may bee lawfull to and for the Commissioners for the said Assessments, when they shall see cause to give Order and Directions to any Officers or Soldiers of the Armie to quarter upon such person or persons as they shall finde to bee in Arrear: or shall refuse to pay their Assessments, until such person shall pay and satisfaction the moneys due for the same.

And be it further Ordained and Established by the Authority aforesaid, That it shall and may bee lawfull to and for all and every the people of this Common-wealth, and of the Dominions thereunto belonging, to export out of England, Scotland, Wales, and every the Dominions of this Common-wealth into Ireland, Horses, Mares, Cattle, Sheep, Household-stuff, Coyn, Utensils, Tools, Instruments, Materials necessary or useful for Planting, Building, Stocking, Employing or Improving of Houses, Lands or other Hereditaments in Ireland, and all other goods necessary or useful for any the purposes aforesaid, at any time during the space of seven years, to be accounted from the four and twentieth day of June, one thousand six hundred fifty and four, without paying any Custom, Subsidy, Excise or Impost for the same in England or Ireland, upon sufficient securitie to bee given to the Officers of the respective Ports, in such sort as by former Lawes is provided, or hath been accustomed for those that ship and carrie goods from Port to Port in England.

And be it further Ordained by the Authority aforesaid, That the same Custom, Subsidy and Impost, which is now payable in England, for any Commodity, Goods or Merchandise, imported from, or exported into Foreign parts, and the same Excise payable upon the Consumption or use of any Commodity in England and no other, shall bee from henceforth imposed, collected, levied and paid in Ireland according to the respective books of Rates for the Customs and Excise in England, paid by Englishmen, as the same now are, or hereafter shall bee settled or altered by Act of Parliament.

And be it further Ordained by the Authority aforesaid, That all and every the Quit-rents charged or reserved upon the Lands granted or intended to the said Adventurers and Soldiers, by any former Acts or Ordinances, bee remitted and discharged unto every the said Adventurers and Soldiers, their respective Heirs or Assigns for five years next ensuing, from the four and twentieth of June, One thousand six hundred fifty and four, and until the Assessments of Ireland bee brought into an even proportion with the Assessments of England, as is before expressed, and after that time the Adventurers and Soldiers, their Heirs and Assigns shall pay all and every the Quit-rents expressed in one Act of Parliament, Entituled, An Act for the speedy and effectual reducing of the Rebels in his Majestie's Kingdom of Ireland, to their due obedience to his Majestie, and the Crown of England, according to the rates for Lands in the respective Provinces.

Provided, That this shall not binde up or conclude the State from letting or disposing such Lands in Ireland, as do or shall belong or remain



remain in them, upon such terms as they shall judge advantageous to the Commonwealt.

And bee it further Ordained by the Authority aforesaid, That for and in consideration of every Rent, Service, Charge or Duty, issuing, reserved, charged, due or payable (on or out of the Lands or other the Hereditaments granted or intended to or for the said Soldiers and Adventurers, or either of them) to any person or persons, who have duly claimed the same; and according to this Ordinance shall have the same allotted and ordered and certified, Every Adventurer and Soldier, on or out of whose Lands or Hereditaments the same shall bee issuing, reserved, charged, due or payable, shall have set forth, and enjoy to him and his heirs for ever, so much Land in the County of Kildare; (according to the acts and values of Adventurers at such measure as was allowed to such person for his Adventure, in satisfaction whereof such Lands so charged were allotted unto them as should have been produced or due for an adventure of such certain sum of money as the purchase or buying out of such Rent, Service, Charge, or duty shall bee computed to amount unto, Computation being thereof made and certified by such person and persons as shall bee authorized by his Highness the Lord Protector with the consent of his Council.

And bee it also Ordained by the Authority aforesaid, That all and every the said Soldiers and Adventurers, their respective Heirs and Assigns, bee and shall bee for ever freed and discharged of and from all Exchequer, and other old Rents, Payments, and Arrears whatsoever, due or forfeited to the Publique. And their Lands for ever freed and discharged of and from all Distresses and Seizures concerning the Premises.

And bee it further Ordained by the Authority aforesaid, That every person, or their Heirs, Executors, or Assigns of such person, who (upon the three and twentieth day of October, in the year One thousand six hundred forty and one) had any kind of Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Office, Annuity, Service, Rent, Common Debt, Charge or Incumbance in, to, or out of any Honours, Castles, Mansions, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Uses, Possessions, Offices, Rights, Conditions, or any other Hereditaments of what name or quality soever they bee (within the Counties of Eastmeath, Westmeath, Kings County, Queens County, Limerick, Tipperary, Waterford, Antim, Down, Armagh, and Lowth, or any of them) seized or any titles devised, vested, adjudged, or taken to bee in the actual and real possession of the late King Charles, his Heirs and Successors, upon or by force of any Act or Acts of Parliament, specified in a Commission under the great Seal of England to Charles Fleetwood Esq; Lieutenant General of the Army in Ireland, and others, in the year One thousand six hundred fifty and three, or into or out of any Chantry Lands, Lands or Tenements given to superstitious uses, for maintenance of Popish Priests, and Idolatrous Houses, Trenches, Virges, and the like, or for maintenance of Lazers, or Lazerous people, concealed in the possession and occupation of such person or persons who upon the fourteenth day of July, One thousand six hundred forty and three, or at any time since, was or were in Rebellion, shall on or before the three

and twentieth day of October, one thousand six hundred fifty and four, make the truth and reality of such Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Office, Annuity, Service, Rent, common Debt, Charge or Incumbance, appear unto such persons as are appointed for receiving and determining Claims in Ireland, and obtain from them an Order or Certificate of their allowance thereof, and shall cause the same to be sent unto the Register for forfeited Lands, and to be by him annexed to the Survey of those Lands or other the Premises, touching which such allowance shall be made: And in default thereof, the said Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Office, Annuity, Service, Rent, Common Debt, Charge or Incumbance, and every of them, shall be, and the same be hereby discharged, extinct, made null and void.

And be it further Ordained and Established, by the Authority aforesaid, That no person shall incur either of the penalties for or upon Selling, Aliening, or for or upon Letting, Setting, or granting by Lease, any of the forfeited Houses and Lands to any person or persons comprehended in the Qualifications of the Act of Parliament Entitled, An Act for selling Ireland, but such onely who shall knowingly do the same: And that it shall be lawfull to all persons to Let or Grant by Lease, Lands to any persons who, notwithstanding by future Directions or Declaration of State, shall be exempted from Transplantation into Connaght or Clare.

And be it further Ordained and Established by the Authority aforesaid, That all and every City and County, or County of a City, City and Liberties, Town and County, half Barony, Territory, Franchise, Liberty, Parish, Town, Place or Land which is returned among the Baronies, or for or as a Barony (on the abstract of the Surveys or estimates made concerning the ten Counties appointed for the said Soldiers and Adventurers) shall as to the Division, Sub-division, and enjoyment thereof amongst the said Soldiers and Adventurers and every of them respectively therein concerned, be deemed and taken to be as the same are returned in the Survey, although the same then were not a Barony, or were in another County, or were a County Franchise, or Liberty of it self: And that all Counties, Baronies and Places returned or certified in or by miswritten, mistaken or wrong names, shall be enioyed by those whose Lots are or shall be on such Counties, Baronies or Places, as if they had been returned or certified by their true and proper names.

And be it further Ordained, If within six Months after publication of the late Act, for the speedy and effectual satisfaction of the Adventurers for Lands in Ireland, any Castles, Cittadels, Forts, Bulwarks, Rampiers, Block-houses, or any places of defence (in any of the Towns or Counties appointed for the said Soldiers and Adventurers) were judged and declared by the person or persons therein specified, to be fit and meet to be reserved for the publique safety of the Land, and the service of the Common-wealth (notwithstanding such Judgement and Declaration, and the proviso in the said Act referring therunto) the respective Adventurers and Soldiers,

Souldiers, their severall Heirs and Assigns, in whole Lots or Proportions any such declared Castle, Cittadel, Fort, Bulwark, Rampier, Blockhouse or other place of defence is or shall bee, shall or may presently, or any time hereafter (if the same bee not now a Garrison, enter upon, have and enjoy the same, to him, his Heirs and Assigns; And if the same now be a Garrison, and shall hereafter bee dismantled, or the Guard or Souldiers withdrawn from the same, then and from thenceforth, It shall and may bee lawfull to and for such person, his Heirs and Assigns, in whole Lot or Proportion the same is or shall bee, to enter upon, have and enjoy the same to his and their own use for ever; And that upon the dismantling any such Castle, Cittadel, Fort, Bulwark, Rampier, Blockhouse, or place of defence, or the pulling or taking down any part thereof, such person and persons, in whole Lot or Lots the same shall bee, shall have and enjoy all and singular the Iron, Lead, Timber, Stones and Materials thereof, to his and their own use, without paying any thing for the same; And that no person or persons do or shall convert the same to any other use whatsoever. And to the end such goodly and able Preachers as are already in Ireland, or shall bee willing to transplant themselves thither for spreading and publishing the knowledge of Christ in that Land, may have due encouragement therein, and a competent provision of maintenance, Bee it further Ordained by the Authority aforesaid, That there shall bee allowed unto every such person, as having first obtained from the Commissioners for approbation of publick Preachers such testimonial as by the Ordinance, Entituled, An Ordinance appointing Commissioners for approbation of Publick Preachers, is directed, of his fitness and sufficiency for that work, shall, within five years from and after the four and twentieth of June, one thousand six hundred fifty and four, transport himself into Ireland, the sum of fifty pounds towards the charge of his transportation to bee paid unto every such person out of the publick Treasury. And that the Commissioners for ordering and managing the Affairs of Ireland for the time being, and such other person and persons as shall hereafter bee deputed by his Highness for the Government of that Nation, shall and are hereby required to place every such person in some such Benefice as shall bee in the gift of his Highness the Lord Protector (or confirm any presentation which shall be granted unto such person by the Patron) to the value of one hundred pounds per annum, and in case the same shall not bee of that value, then to grant unto such person, such yearly allowance by way of augmentation as shall make up the same to that value, as also to grant for further augmentation as they shall think fit, to any such person, any other Preachers now there (whose living doth not exceed the value of fifty pounds per annum) as they shall finde worthy such augmentation, not exceeding fifty pounds per annum; And all and every such person and persons so by them placed as aforesaid, shall hold and enjoy such Benefice, and all the Houses, Lands, Dues and Profits of and belonging therunto, and have such and the like benefit and means for recovery thereof, as if such person had been instituted and inducted according to the Laws in Ireland.

Friday, June 23. Ordered by his Highness, &c.

An



# An Ordinance for distribution of the Elections in Scotland.

**W**hereas by the Government of the Commonwealth of England, Scotland, and Ireland, publicly declared at Westminster the sixteenth day of December, one thousand six hundred fifty three, It is declared, That the distribution of the persons to be chosen for Scotland, and the several Counties, Cities and places within the same shall be according to such proportions and numbers as shall be agreed upon and declared by the Lord Protector and the major part of the Council, before the sending forth Writs of Summons for the next Parliament. And whereas his Highness and the major part of the Council, before the sending forth of any Writs of Summons aforesaid, did agree and declare the distribution of the persons to be chosen for Scotland, according to the proportions and numbers hereafter mentioned; It is therefore Ordained, Declared and Agreed by his Highness the Lord Protector, with the consent of the Council, That the persons to be chosen for Scotland, and the several Counties, Cities and Places within the same, shall be according to the proportion and number hereafter expresseth; That is to say, For the Shires of Orkney, Zetland, and Caithness, one; and the place of meeting for the Election of such person shall be at Caithness; For the Shires of Sutherland, Ross, and Cromarty, one; and the place of meeting for the Election of such person shall be at Ross; For the Shire of Inverness, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shires of Elgin and Nairn, one; and the place of meeting for the Election of such person shall be at Elgin; For the Shire of Banff, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shire of Aberdeen, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shires of Kinkardine and Forfar, one; and the place of meeting for the Election of such person shall be at Forfar; For the Shires of Fife and Kinross, one; and the place of meeting for the Election of such person shall be at Fife; For the Shire of Perth, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shires of Linlithgow, Sterling, and Clackmannan, one; and the place of meeting for the Election of such person shall be at Sterling; For the Shires of Dunbarton, Argyle, and Bute, one; and the place of meeting for Election of such person shall be at Dunbarton; For the Shires of Aire and Renfrew, one; and the place of meeting for the Election of such person shall be in Aire Shire; For the Shire of Lanerick, one; and the place of meeting for Election of such person shall be in the same Shire; For the Shire of Midlothian, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shire of the Merce, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shire of Roxburgh, one; and the place of meeting for the Election of such person shall be in the same Shire; For the Shires of Selkirk and Peebles, one

one, and the place of meeting for the Election of such person shall bee at Peebles; For the Shire of Dumfriese, one; and the place of meeting for the Election of such person shall bee in the same Shire; For the Shire of Wigton, one; and the place of meeting for the Election of such person shall bee in the same Shire; For the Shire of East Lothian, one; and the place of meeting for the Election of such person shall bee in the same Shire; And for the Broughs of Dornoch, Taine, Inverness, Dingwell, Nearn, Elgin, and Forras, one; and the place of meeting for the Election of such person shall be at Inverness; For the Broughs of Bampf, Cullen, and Aberdeen, one; and the place of meeting for the Election of such person shall bee at Aberdeen; For the Broughs of Forfar, Dunder, Airbroch, Montross, and Breechin, one; and the place of meeting for the Election of such person shall bee at Dundee; For the Brough at Lithquo, Queens Ferry, Pearth, Colross, and Sterling, one; and the place of meeting for the Election of such person shall bee at Sterling; For the Broughs of Saint Andrew, Dycart, Kirkaldy, Cooper, Autrucher Easter, Pittenweamb, Creel, Dumerling, Kinghorn, Autrucher Wester, Innerkething, Kilrenny, and Brunt Island, one; and the place of meeting for the Election of such person shall bee at Cooper in Fife; For the Broughs of Endenburg, two; For the Broughs of Lannierike, Glasquo, Rutherglen, Rothsay, Rentrew, Aire, Irwin, and Dunbarton, one; and the place of meeting for the Election of such person shall be at Glasquo; For the Broughs of Dumfriese, Sanclarr, Lochmaben, Annand, Wigton, Kirkcubright, Whithorn, and Galloway, one; and the place of meeting for the Election of such person shall be at Dumfriese; For the Broughs of Peebles, Selkirk, Jeddart, Lauder, N. Berwick, Dunbar, and Haddington, one; and the place of meeting for the Election of such person shall bee at Lauder. And it is further Ordained by his said Highness the Lord Protectors with the consent of the Counsel, That for the effectual and orderly Election of the persons aforesaid to bee chosen to sit and serbe in Parliament, as in the said Government is declared, several Writs under the Great Seal of England, shall issue, and bee directed to the several and respective Sheriffs of the several and respective Shires, wherein the respective Elections are to bee made of the respective persons to serbe in Parliament for the respective Shires, and to the respective Sheriffs of the County where the Elections for the Broughs are hereby appointed to bee made according to the distribution aforesaid; and that the respective Sheriffs to whom such Writs shall bee directed, are hereby Authorized and Impowred to make or cause Proclamation to bee made of such Writ in all the Counties, Broughs and Places respectively for the making such Election and Elections, and to issue his Warrant to the chief Officer of the place, where such Election for Broughs is to bee made, notwithstanding the same bee not within the Shire whereof such person is Sheriff, and to cause Elections to be made accordingly; Which Writs the Chancellor, Keeper, or Commissioners of the Great Seal of England, for the time being, shall Seal, Issue, and send forth.

Tuesday, June 27. Ordered by his Highness, &c.

## An Ordinance for distribution of the Elections in Ireland.

**W**hereas by the Government of the Commonwealth of England, Scotland, and Ireland, publicly declared at Westminster the sixteenth day of December, one thousand six hundred fifty three, It is declared, That the distribution of the persons to be chosen for Ireland, and the several Counties, Cities and places within the same, shall be according to such proportions and number shall be agreed upon and declared by the Lord Protector and the major part of the Counsel, before the sending forth Writs of Summons for the next Parliament. And whereas his Highness and the major part of the Counsel, before the sending forth of any Writs of Summons aforesaid, did agree and declare the distribution of the persons to be chosen for Ireland, according to the proportions and numbers hereafter mentioned; It is therefore Ordained, Declared and Agreed by his Highness the Lord Protector, with the consent of the Counsel, That the persons to be chosen for Ireland, and the several Counties, Cities and Places within the same, shall be according to the proportion and number hereafter express; (That is to say) For the Province of Leinster, ten; (that is to say) for the Counties of Meath and Lowth, two; and the place of meeting for the Election of such persons shall be at Drogheda. For the Counties of Kyldare and Wicklow, two; for the County and City of Dublin, two; and the place of meeting for the Election of such persons shall be at Dublin. For the Counties of Carlow, Wexford, Kilkenny and Queens, two; and the place of meeting for the Election of such persons shall be at Carlow. For the Counties of Westmeath, Longford and Kings, two; and the place of meeting for the Election of such persons shall be at Mullingar. For the Province of Ulster, seven, That is to say, for the Counties of Down, Antrim, and Armagh, two; for the Towns of Carrigfergus, and Belfast, one; and the place of meeting for the Election of such persons shall be at Belfast. For the Counties of Derry, Dungall and Tyrone, two; for the Towns of Derry and Colerane, one; and the place of meeting for the Election of such persons shall be at Derry. For the Counties of Cavan, Fermanagh and Monaghan, one; and the place of meeting for the Election of such persons shall be at Ineskellyn. For the Province of Munster, nine, that is to say, for the Counties of Kerry, Limerick and Clare, two; and the place of meeting for the Election of such persons shall be at Rabeal. For the City and County of the City of Limerick, and Kilmallock, one; and the place of meeting for the Election of such persons shall be at Limerick. For the County of Cork, one; for the Towns of Corke and Youghall, one; and the place of meeting for the Election of such persons shall be at Corke. For the Towns of Bandon and Kinsale, one; and the place of meeting for the Election of such persons shall be



bee at Bandon. For the Counties of Waterford and Typerary, two; and the place of meeting for the Election of such persons shall bee at Clonmell. For the Cities of Waterford and Clonmell, one; and the place of meeting for the Election of such persons shall bee at Waterford. For the Province of Conaught, except the County of Clare, four; that is to say, for the Counties of Sligo, Roscomon and Lerry, two; and the place of meeting for the Elections of such persons, shall bee at James Town. For the Counties of Galloway and Maio, two; and the place of meeting for the Election of such persons shall bee at Galloway.

And it is further Ordained by his said Highness the Lord Protector, with the consent of the Counsel aforesaid, That for the effectual and orderly Election of the persons aforesaid, to bee chosen to sit and serbe in Parliament, as in the said Government is declared; several Writs under the great Seal of England shall issue, and bee directed to the severall Sheriffs of the aforesaid Counties and Cities, to make the respective Elections of the respective persons to serbe in Parliament, for the said respective Counties, Cities, Towns and Burroughs, according to the Distributions herein before declared: Which Writs the Chancelor, Keeper, or Commissioners of the Great Seal of England, for the time being, shall Seal, Issue, and send forth.

*Tuesday, June 27. 1654*

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance bee forthwith Printed and Published.

*Henry Scobell Clerk of the Counsel.*

### An Ordinance against Challenges, Duells, and all provocations thereunto.

**W**hereas the fighting of Duells upon private Quarrels is a thing in it self displeasing to God, unbecoming Christians, and contrary to all good order and government; And so much as the same is a growing evil in this Nation, for preventing whereof there is a present necessity of some more severe Law then hitherto hath been made in that behalf; Bee it therefore Ordained by his Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, &c. by and with the advice and consent of his Counsel, that if any person or persons of what degree or quality soever within this Commonwealth, shall from and after the first day of July next ensuing, by Message, Word, Writing, or any other way, either Challenge or cause to bee Challenged any other person to fight any Combat or Duel, or shall accept any such Challenge; every such person who shall make, send, or accept any such Challenge; and every person who shall knowingly carry the same, shall bee committed to Prison, without Bail or Mainprize, there to remain for the space of six moneths.

Moneths next after his Commitment, and from thence until the next General Quarter Sessions of the Peace, or General Assize, and Goal-delivery to be held for that County, City or Town Corporate, where before his Enlargement out of Prison, he shall enter into Recognizance with two or more sufficient Sureties, such as the Court shall approve, to be of the good Behaviour during the space of one whole year then next ensuing.

And it is further Ordained by the Authority aforesaid, That if any person so challenged, as aforesaid, do not within four and twenty hours after, make discovery thereof to some Justice of the Peace, the same shall be accounted an acceptance of a Challenge within the intention of this Ordinance.

And it is further Ordained by the Authority aforesaid, That if any person or persons shall from and after the publication hereof, actually fight any Duel or Combate, whereupon death shall ensue, the same shall be deemed, adjudged and taken to be further. And if any person or persons shall from and after the time aforesaid, actually fight any Duel or Combate, upon any such preceding Challenge or appointment as aforesaid, (although death ensue not thereupon) or shall as Second, or otherways knowingly accompany, or assist any such person, the Judge or Justices of Peace before whom such Offender shall be convicted shall pronounce Judgement against all and every such Offender and Offenders to be banished during life out of this Commonwealth, and shall by their said Judgement appoint the time for such Offenders departure (which shall not exceed one Moneth after such conviction) and also assign the Port from whence he shall go; and if any such Offender shall at any time after such day limited be taken within this Commonwealth, he shall be adjudged as a Felon, and suffer death accordingly. And to prevent all occasions of Challenges and Quarrels, Bee it further Ordained by the Authority aforesaid, That any person or persons hereafter using any disgraceful, provoking words or gestures, shall be liable to an Indictment at the Goal-delivery or General Sessions of the Peace; and if such person or persons shall be found guilty, the Judge or Justice of Peace shall cause him or them to be bound to his or their good behaviour, and shall likewise impose a fine upon him or them for such offence, to be levied to the use of his Highness the Lord Protector, and his Successors; And also to make reparation to the party wronged, as to the said Judge or Justices shall seem meet, upon consideration had, both of the quality of the person injured, and the offence committed: And if any person shall refuse to give obedience to the Sentence of the Judge or Justices herein, such person shall be committed to the house of Correction, there to remain until he shall perform the same.

And bee it further Ordained, That all Sheriffs, Constables, and other Ministers of Justice, and all other persons whatsoever, that shall have any knowledge or notice of the intent or purpose of any persons whatsoever to fight any Duel, or that any Challenge is made or sent or intended to be made or sent to that purpose, or shall see or perceive any persons fighting such Duel, shall forthwith apprehend or cause to be apprehended such persons faulty as aforesaid, and

and cause them to be brought before some Justice of the Peace of the County, City, or Town Corporate where the said offence shall be committed, who are hereby authorized and required, if upon examination they finde the said parties to be faulty, to binde the said Offenders (as also the Witnesses) by Recognizance to appear at the next General Goal delivery, or Quarter Sessions, to be held for the said County, City, or Town Corporate, to be proceeded against, and in the mean space to keep the peace; And if any Officer or Minister of Justice or other person shall fail to apprehend such Offenders, or else if upon their utmost endeavors, they are not able to apprehend them, if they shall fail to make known the said persons to some Justice of Peace, that then each Person so failing to do his duty as abovesaid, shall forfeit ten pounds of lawful English Money to be levied of his Goods and Chatties by distress and sale thereof rendering the overplus to the owner thereof, for the use of the Poor of the Parish where such offence is committed; And the like Law and Punishment shall be for parties challenging, or accepting any Challenge in any part of this Commonwealth, and thereupon fighting in any other place, as if the fact had been done within this Commonwealth of England, And the Tryals and Judgement upon this Ordinance may be had either at the Goal-delivery, or at the General Sessions.

And it is lastly Ordained, That no Certiorari shall be hereafter allowed to remove any such Indictment as aforesaid.

Thursday, June 29. 1654

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.

## An Ordinance for continuing the Committee for the Army, and Treasurers at War.

**B**E it Ordained and Declared by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That for the more effectual putting in execution of an Ordinance, Entituled, An Ordinance for an Assessment for six Moneths, from June the four and twentieth, one thousand six hundred fifty and four, for maintenance of the Armies and Navies of this Commonwealth, at the rate of one hundred and twenty thousand pounds per annum, for the first three moneths, and at the rate of ninety thousand pounds per annum, for the last three moneths thereof, and published in print the eighth of June, One thousand six hundred fifty and four. And for the bringing in, directing, disposing, receiving, and issuing forth of the Moneys payable by virtue thereof; and of all other Moneys which before the five and twentieth of December, one thousand six hundred fifty and four, shall be appointed for or towards the maintenance of the Armies of this Commonwealth, The feve-  
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ral and respective persons, or any three of them named, and appointed to be a Committee for the Army in an Ordinance, Entituled, An Ordinance appointing a Committee for the Army, and Treasurers at War, and published the eight and twentieth of January, one thousand six hundred fifty and three; And the persons named and appointed to be Treasurers at War in the said Ordinance, shall be, and are here by authorized and continued to be a Committee for the Army and Treasurers at War in their several Capacities respectively. And bee it Ordained, That all and every the Powers and Authorities, Rules and Directions which were by the Last recited Ordinance, or by any Act or Ordinance therein mentioned, expressed to be given to the said Committee for the Army, or Treasurers at War, for the bringing in, receiving, disposing and issuing forth of the Assessments and Monies in that Ordinance mentioned, shall be, and are hereby given and continued to the Committee for the Army and Treasurers at War respectively, for the bringing in, receiving, disposing, and issuing forth of the said six Moneths Assessments, commencing the four and twentieth of June, one thousand six hundred fifty and four, and other Monies herein before mentioned, to all intents and purposes. And the said Committee for the Army and Treasurers at War respectively, are hereby Authorized and required to observe and put the same in execution accordingly. And the several and respective Commissioners, Receivers General, Collectors, Sub-Collectors, and all other persons who are or shall be intrusted or employed in the Assessing, Levying, Collecting, or Receiving of the said six Moneths Assessments, or any part thereof, shall observe such Orders and Directions as shall from time to time be made and given forth by the Committee for the Army, or any three of them, in the due execution of the Powers and Trust hereby continued and committed unto them.

And the respective Receivers General that are or shall be appointed to receive any part of the said six Moneths Assessment, from the four and twentieth of June, one thousand six hundred fifty and four, shall forthwith after the receipt thereof, transmit and pay, or cause to be paid, the Monies by them so received to the said Treasurers at War, or where, or to whom the said Treasurers at War shall appoint the same to be paid, and the receipt of the said Treasurers at War shall be to the respective Receivers General, and and to all other persons who shall by virtue of this Ordinance pay any Monies unto them for the purposes aforesaid, a sufficient discharge, the Ordinance, For bringing the Publique Revenues of this Commonwealth into one Treasury, or any thing therein contained to the contrary hereof, in any wise notwithstanding.

And bee it further Ordained, That the summe of forty thousand pounds a Moneth (out of each of the first three Moneths Assessment of one hundred and twenty thousand pounds by the Moneth, from the four and twentieth of June, one thousand six hundred fifty and four, as aforesaid, and the summe of thirty thousand pounds a Moneth out of the last three Moneths Assessment of ninety thousand pounds by the Moneth, shall be set apart and applied for, and to the use of the Navy, and the said Committee for the Army are hereby

hereby authorized and required to issue out their warrants to the Treasurers at War from time to time for payment of the sum to the Treasurer of the Navy accordingly.

Thursday, June 29. 1654

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Council

An Ordinance impowring the Commissioners of the Customs, and others, for the better suppresssing of Drunkenness and prophane Cursing and Swearing, in persons imployed under them.

**W**Hereas several persons, as Carmen, Porters, Watermen, and others, who are imployed upon the Rieps, as also upon the Ribber of Thames, in Ships, Boats, and Lighters, and in Thames-street, and other Streets and Lanes adjacent within the City of London, for shipping and unshipping, packing, carrying, craning, and removing Goods and Merchandize, and other affairs in matters relating therunto, doe very ordinarily Drunk, and doe also Prophane and Blaspheme the holy Name of God by Cursing and Swearing, to the great dishonour of God, the scandal of the Professors and Profession of the Gospel among us, and of the present Government; For the preventing whereof, Be it Ordained by his Highness the Lord Protector, by and with the consent of his Counsel, That the Commissioners for the Customs for the time being, be, and are hereby authorized and required to take care that the Laws of this Nation against Drunkenness, Swearing and Cursing bee put in execution, against all such persons as shall be guilty of the crimes aforesaid; And for that purpose shall, and hereby have the Power and Authority of Justices of the Peace within the said places.

And every Officer and Officers, Deputy and Deputies of the Commissioners of the Customs, having a Commission whereby they are Deputed and authorized to bee Officers and Deputies under the hand and Seals of the said Commissioners, shall have, and hereby have power, and are authorized to apprehend and attach, and in safe custody to bring before the said Commissioners, or any one of them sitting at the Customs-house London, every person or persons whom they shall see to bee Drunk, or shall hear to Swear, Curse, and Blaspheme the holy Name of God, as is aforesaid, and shall have power, and hereby have power, to execute any power or powers, authority or authorities in this case, w<sup>ch</sup> by Law, any Constable

he may as ought to exercise as use, although the said Officer or Officers have no particular warrant of the Commissioners, aforesaid, for apprehending any the offenders for the offences aforesaid, as in the like cases are usually issued unto sworn Constables, by Justices of the Peace upon the like occasions; and all person and persons to whom any of the said Officer and Officers shall require to be aiding and assisting unto them, in the apprehending and bringing before the said Commissioners any such offenders, are hereby required to be aiding and assisting unto them therein accordingly; And in case of refusal, such punishment and proceedings shall be had and awarded against them, as by Law may be and ought to be upon every person that shall refuse to be aiding and assisting unto any sworn Constable or Constables, when required thereunto.

Friday, June 30. 1654.

Ordered by His Highness, the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Counsel.

### An Ordinance prohibiting Horse-Races for six Months.

**VV** Whereas it hath pleased the Lord to discover and bring to light divers mischievous Plots and Designs which have been lately contrived by the Enemies of the peace and welfare of this Commonwealth, who are ready to lay hold of all opportunities for instilling such their purposes into the minds of others who are peaceably affected, and to take advantage of public meetings and concourse of people at Horse-races, and other sports to carry on such their pernicious Designs, to the disturbance of the public Peace, and endangering new troubles.

For prevention thereof it is thought fit at this time to Ordain, and bee it Ordained by his Highness the Lord Protector by and with the consent of his Counsel, That from and after the sixth day of July, 1654, for any during the space of six Months from thence next ensuing, there shall be no Horse-races, nor meetings of any persons whatsoever upon pretence or colour of any such Horse-races in any place within England or Wales. And that all and every person and persons who shall, from and after the said sixth day of July, for any and during the time aforesaid, appoint any Horse-race, or shall assemble and meet together, upon or by colour of any appointment of any Horse-race, or shall be present at any such Horse-race, shall for ever and lose all and every the Horse & Horses which they shall bring with them, or send unto such place or meeting. And all Justices of the Peace, Constables, and all other Ministers of Justice,



Justice, calling to their Assistance; if they shall finde cause, any Officers and Souldiers of the Army, quartered or lying in or near such place, be, and they are hereby authorized and required, upon notice of any such Hoyle-race or appointment for the same, to repair unto such place and places, and to seize or cause to be seized all and every Hoyle and Hoyles, which shall come or be sent unto such place and places for the purpose aforesaid, or under colour thereof, and to apprehend or cause to be apprehended all and every person and persons who shall bee present at, assemble, or meet together under pretence of any Hoyle-race, and bring or Cause them to be brought before the Counsel to be further proceeded against for their Contempt of this Ordinance as shall be agreeable to Justice.

Tuesday, July 4. 1654.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.

### An Ordinance appointing a Committee of the Adventurers for Lands in Ireland, for determining differences among the said Adventurers.

**W**HEREAS the proportions of several Adventurers for Lands in Ireland, have fallen by lot within one and the same Barony, which may occasion some differences among the said Adventurers, in case the total of the escheated Land within such Barony shall not bee sufficient to answer the proportions of Land allotted to the respective Adventurers; Now for the better composing of any differences that shall fall out, and on the humble desire of the said Adventurers, Bee it Ordained by his Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, by and with the advice and consent of his Counsel, That the persons hereafter named, being equally chosen and nominated by the body of the said Adventurers: That is to say, Sir Thomas Dacres, Sir John Clotworthy, Alderman Thomas Andrews, Alderman John Fowke, Alderman Samuel Avery, Thomas Ayers, John Blackwell, Senior, William Webb, William Hawkins, Charles Lloyd, George Almory, Thomas Barnardiston, John Greensmith, Lawrence Bromefield, Thomas Brightwell, Deputy Hutchinson, Michael Herring, Alexander Jones, John Wood, Thomas Stearne, Sir David Watkins, Alexander Bence, Thomas Gower, William Penoyer, Henry Colborne, William Hickhocks, Thomas Vincent, Ald. Poor, James Russel, Ald. Waring, Maurice Thompson, Francis Ashe, John Mosyer, John Holland, Edmond Harrison, and Ambrose Moor, Esqs; bee, and are hereby impowred and authorized by themselves or any eleven or more of them, or by such others as they or any eleven or more of them shall from time to time nominate and appoint,



appoint, in such cases where several Lots have ben drawn by several persons, of Lands lying in the same Barony, to settle a way and method for determining by Lot, how many and which of the said Adventurers proportions, falling within one and the same particular Barony, wherein the escheated Lands shall fall host of the Allotments, shall be continued and laid out in such Barony, or how much thereof, and which of the said Adventurers shall take his proportion, or how much thereof elsewhere, according to the Act of Parliament made in that behalf: And the Lord Deputy of Ireland, and Counsel there for the time being, are hereby authorized to settle such persons as shall be so removed in such other places as is provided by the Acts of Parliament in that behalf. And the Committee and Committees hereby authorized, are also impowred to settle a method by Lot, for ascertaining the subdivision of Adventurers proportions, that shall continue in all and every the several Baronies according to their respective allotments. And further, That the said Lord Deputy and Counsel be, and hereby are impowred and authorized, to hear and determine all differences that shall happen and arise concerning any the premises, among the said Adventurers, or any of them: Provided that this Ordinance shall continue in force for one whole year, from the first of June last, and no longer.

Tuesday, August 1. 1654

Ordered by his Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

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### An Ordinance for Indempnity to the English Protestants of the Province of Munster in Ireland.

**W**hereas many English and British Protestants in the Province of Munster in Ireland upon the defection of the Lords Ormond and Inchiquin were seduced and drawn by the power and policy of the said Lords to follow them in their treacherous revolt, whereof divers being sensible of their offence, and retaining still a good affection to the interest of the Commonwealth of England, did give a real and eminent testimony thereof in their voluntary rendition of the Towns of Cork, Youghal, Kinsale, Bandon; and divers Forts, Castles, and other Garrisons adjacent, and that at a time when the Army under the Command of his Highness the Lord Protector then Lord Lieut. of Ireland, being at a great distance from them, and the winter season rendered the access thereof unto them impracticable; By means of which rebellion divers places of great strength were gained without expence of blood and treasure, and the necessities of the Army supplied by that plentiful Countrey, where many sick and wounded Soldiers were tenderly cherished and provided for

for by the said British and English Protestants; And others others of the said British and English Protestants did before the first of December, one thousand six hundred and forty nine submit themselves, and have ever since not onely lived peaceably under the Protection of and obedience to the Commonwealth, but have by their large contributions to the supply of the Army there evidenced their sense of duty and good affection to the same; and the inferior sort of them, who continued under the command of the said Earl of Ormond and Lord Inchiquin until necessity enforced them to a submission, have since their said submission done faithful service to this Commonwealth against the Rebels there; his Highness the Lord Protector taking into consideration the concessions granted by his Highness to induce the Return of the said Rebels to the obedience of the Parliament of the Commonwealth of England, and being desirous that the same may be duly performed and that all such as were misled into that defection by misrepresentations from their Commanders, or by their power over them were kept from a more early submission, might in respect of their service and faithfulness since, taste of some grace and favor; And to the end their persons may be secure, their minds composed, and they may be encouraged to persist in their fidelity and obedience, and themselves, their wives and children be enabled to live, and be useful to the Commonwealth; Bee it Ordained by his Highness, by and with the advice and consent of His Counsel, That all persons British and Protestants of, or in the Province of Munster in the Realm of Ireland, shall be, and are hereby freed, acquitted and discharged of, and from all Questions, Suit, Plea, Demands, Forfeitures, Pains, Penalties, Fines, Corporal or Pecuniary Restraints, Imprisonment or Imprisonments, Punishment or Punishments, Trouble or Persecution whatsoever (other than is hereafter in this Ordinance expressed) for any Matter or Thing by them or any of them committed or done by Sea or against the Parliament or their Forces in the late War, or any of the former Wars; and that for the matter aforesaid, there shall be no Sequestration, Confiscation, Fine, Penalty, Forfeiture or Punishment imposed or continued upon them or any of them (otherwise than is in this Ordinance hereafter expressed) but the same shall be put in perpetual oblivion. And also that the Estates real and personal of all the British and Protestants of, or in the Province of Munster aforesaid (except as is hereafter in this Ordinance excepted and provided) shall be and are hereby freed, discharged and acquitted of and from all Sequestrations, Confiscations, Fines, Penalties and Forfeitures whatsoever, for any matter or thing by them or any of them committed or done in the aforesaid Wars, and bee immediately restored to all lawful Rights, Freedoms, Privileges and immunities as fully to all intents and purposes, as if they had made no defection, or committed or done any Crime, matter or thing against the Commonwealth of England or the Authority thereof.

Provided, That this Ordinance or any thing herein contained shall not extend to, or give any Power, Right, Privilege or advantage to any the person or persons herein concerned to have or recover

bee any arrears of satisfaction of arrears due to him or them for his or their service done on the behalf of the Commonwealth, before his or their defection under the Lords of Ormonde and Inchiquin, such onely excepted for whom express provision is hereafter made in this Ordinance.

Provided likewise, and bee it Ordained by the Authority aforesaid, That all and every the person and persons, who submitted to the Authority and Protection of the Commonwealth of England before the first of December, one thousand six hundred forty and nine, but were not Instrumental in the rendition of the Garrisons aforesaid, and have Estates (above all reprises) in lands to the clear yearly value of four hundred pounds and upwards, according to the value of the said lands in the year one thousand six hundred thirty eight, or in Goods, or in goods and Chattles at this present to the value of eight thousand pounds and upwards, shall bee lyable to satisfie and pay such Fine or Fines as shall by persons thereto authorized bee imposed on them, within twelve Moneths after the seven and twentieth day of June, one thousand six hundred fifty and four.

Provided also, and bee it Ordained, That all and every the person and persons who continued in Arms against the Forces of the Commonwealth of England, or remained in obedience to the Enemy, after the first day of December, one thousand six hundred and forty nine, having Estates in Lands to the clear yearly value (above all reprises) of fifty pounds or upwards, according to the value the said Lands were worth in the year one thousand six hundred thirty eight, or at present in Goods and Chattles to the value of five hundred pounds or upwards, shall bee and are hereby lyable to satisfie and pay such Fine or Fines, as shall by persons thereunto authorized bee set and imposed on them respectively, within twelve Moneths after the said seven and twentieth day of June aforesaid.

Provided likewise, That neither this Ordinance nor any thing therein contained shall extend or give any benefit or advantage to any person or persons therein concerned, who since their aforesaid submission have acted or done any matter or thing in opposition to the Commonwealth of England or the Authority thereof.

And it is further Ordained and declared by the Authority aforesaid, That the Commissioners for stating accounts in Ireland, named and appointed in an Act for stating and determining the Accounts of such Officers and Souldiers as are or have been employed in the service of this Commonwealth in Ireland, shall bee and are hereby impowred and required to state and every the Accounts of such Officers and Souldiers for their Arrears grown due for service before the said Rebolt or Defection, whose names shall bee certified by and according to such Qualifications and Directions as they shall receive from the Lord Deputy and Counsel in Ireland in that behalf. And the said Lord Deputy and Counsel are hereby authorized and appointed to admit to this benefit, such onely of the persons included within the Concessions first above-mentioned, as they (upon the best inquiry and information they can gain upon the place) shall finde to have been forward in or promoting of the said return in Munster to the obedience of this Commonwealth, and to lay down such general rules,



rules or qualifications for the guidance of the said Commissioners of Accounts therein as they shall see cause. And the said Commissioners for Accounts shall thereupon proceed to state the Accounts of such of the said Officers and Souldiers, or compounding with them for the same in like manner as they are by the said Act (Entituled, An Act for stating and determining the Accounts of such Officers and Souldiers as are or have been employed in the Service of this Commonwealth in Ireland) authorized to do for the arrears of all other Officers or Souldiers, who have constantly adhered to the Parliament, and to give forth unto them Debentors accordingly, any thing in the said former Act for stating Accounts, or any other Act, Declaration, Ordinance or Order of Parliament to the contrary notwithstanding.

And bee it further Ordained and Declared by the Authority aforesaid, That such of the said Officers and Souldiers shall have and receive in satisfaction of their said Arrears so stated, forfeited Lands of the Rebels in Ireland, in like manner, and upon the same terms as other Officers or Souldiers are or shall bee appointed by any Act of Parliament to receive for their Arrears, grown due for service before the nine and twentieth of June, one thousand six hundred forty and nine.

Provided always, That no Officer or Souldier shall bee capable of having or receiving his Arrears as aforesaid, who hath been in hostility against the Parliament, or adhered to the Enemy since the first day of December, one thousand six hundred forty and nine, or hath not manifested constant good affection to the Parliament since the return of the said Garrisons and Forts in the Province of Munster to their due obedience, or who hath been cashiered and sentenced by a Court Martial to lose his Arrears.

Provided also, That this Ordinance or any thing therein contained shall not extend to the taking away any Limitations or Restrictions directed or provided by the Act for stating Accounts, concerning the Certificates or Vouchers to be produced to evidence any Arrears, nor to the making void any penalty by the said Act laid on any that shall make, procure or produce any false Certificate or Vouch, thereby fraudulently to demand Arrears in prejudice of the Commonwealth.

Excepted and always reserved out of this present Ordinance and benefit thereof, All and every the person or persons who are by name exempted from pardon for life or Estate in one Act of Parliament, Entituled, An Act for the settling of Ireland, bearing date the twelfth day of August, one thousand six hundred fifty and two, or who have not since the tenth of May, one thousand six hundred and fifty, lived peaceably and inoffensively under the Protection of this Commonwealth.

And furthermore, It is Ordained and declared by the Authority aforesaid, That the Indemnity by this Ordinance granted by the General Words, Clauses, and Sentences before rehearsed, shall be reputed, allowed and taken in all manner of Courts of Justice, or elsewhere, most beneficial and available to all and singular the persons to whom the same is hereby granted, and to every of them in all things not in this present Ordinance excepted, without any ambiguity;

bignity; question, or other delay to be made, pleaded or objected by any person or persons, for or on the behalf of the Commonwealth.

Tuesday, August 1. 1654.

Ordered by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Henry Sebell Clerk of the Council.

### An Additional Ordinance for the Relief of Creditors and poor Prisoners.

**W**HEREAS by a late Ordinance of his Highness the Lord Protector, and his Council, Nathanael Bacon, Francis Bacon, and other the persons therein named, or any five or more of them, were made Judges to hear and determine from the ninth day of June last, the Causes of Imprisonment of such Prisoners as stood committed the first of October, one thousand six hundred fifty and three, or which should be committed before the twentieth day of the said October to several Prisons therein named in any civil cause, and not from thence lawfully discharged, and to do and exercise in pursuance of a late Act of Parliament, Entituled, An Act for the Relief of Creditors and poor Prisoners, according to the Explanations and Alterations thereof made by the said late Ordinance. And so much as complaint hath been made to his Highness the Lord Protector, and his Council, That five of the said Judges cannot constantly meet for the execution thereof, whereby the same is much retarded, and for other weighty reasons and due considerations had thereupon; Be it therefore Ordained by his Highness the Lord Protector, by the advice of his Council, That the said Nathanael Bacon, Francis Bacon, Arthur Barnardiston, Peter Elliston, John Parker, Henry Pyt, Edmund Giles, Robert Aldworth, John Wilsby, Peter Brereton, Clement Ireton, and Henry Proby, Esquires, or any three or more of them, and no other person, shall be and are hereby made Judges as to all Prisons, and persons committed to any Prisons within the City of London and Westminster, the Countie of Middlesex and Surrey, or any of them, as fully to all intents and purposes, and every respect as any the persons made Judges of any Prisons and Persons, by the said Act for relief of Creditors and poor Prisoners, to hear and determine the causes of Imprisonment of any such Prisoners, committed as aforesaid, for the cause aforesaid, to any the Prisons aforesaid, and are impowred to send for Parties or Witnesses, and to take and receive the several Fees, Salaries and Allowances, and to do and execute the several Powers and Authorities by the said Act given to the Judges for the several Prisons in the said Act, named, in every respect according to the meaning of the said Act, Entituled, An Act for the relief of Creditors and poor Prisoners, other than the Powers and Authorities altered, explained, limited or annulled by the said late

late Ordinance, and this present Ordinance, which last mentioned Powers and Authorities so limited, altered or explained, are to be put in execution according to the Limitations, Alterations and Explanations in the said late Ordinance contained, and not otherwise.

And it is hereby Ordained, That all proof of fraud and wilfull concealment of fraud by the said late Ordinance directed to be made before a Jury, shall be made before a Jury of twelve lawful men before the said Judges or any three or more of them, which said Jury by order of the said Judges shall be forthwith impanelled and summoned by the Sheriffs or Sheriffs of the said City or County where the said Judges shall sit, to appear forthwith before the said Judges in like manner and under the same pains. And so; such Fees to be set, and taking such Debt to be administered by the said Judges, or any three or more of them, as are used and imposed in any Court of Record at Westminster. And where any Prisoners, or other Persons, shall neglect or refuse to obey the Orders and Judgments of the said Judges, or any three or more of them, made in pursuance of the said late Act, the said former and this present Ordinance, or to discover upon Oath their knowledge touching any Estate or Trust of Estate, appointed to be sold by the said Act, the former and this present Ordinance, the said Judges or any three or more of them, shall and may punish all and every such Offender (not being Prisoners) by imprisonment of their bodies in any the said Prisons until they conform themselves to the reasonable Orders of the said Judges, as aforesaid; and if they be persons already in Prison, then by fine and streighter and closer Imprisonment of any such Prisoner in any the said Prisons.

And it is lastly hereby Ordained, That the said Act for Relief of Creditors and poor Prisoners, the Ordinance for Explanation thereof, and this present Ordinance, shall continue in force until the first day of December one thousand six hundred fifty and four, and no longer.

Friday, August 11. 1654.

Ordered by His Highness the Lord Protector and his Counsel, That this Ordinance be forthwith Printed and Published.

Henry Scobell Clerk of the Council.

### An Ordinance for the better Redrels of the abuses committed upon the River of Thames, and Waters of Medway.

**F**Orasmuch as the preservation of the River of Thames and Waters of Medway, as well from Injunces and Inroachments committed thereupon, as from unlawfull fishing therein, is of great concernment to the Publicke: Be it Ordained by his Highness the Lord Protector, by and with the



the consent of his Council, That no Writs of Certiorari shall at any time hereafter (since he granted or allowed or any presentment or proceeding thereby) be granted or allowed or any presentment or proceeding thereby, which from and after the publishing of this Statute, shall be had and presented before the Lord Mayor of the City of London, as Conservator of the River of Thames and Waters of Medway, for any Offences done, or to be done in and upon the said River and Waters, within the Jurisdiction of the said Lord Mayor, by Pirates, Infrachments, unlawful fishing, or other Offences except in cases where the Freehold or Inheritance of the Partic presenters and bearing such Certiorari shall be in question; nor shall any Writs of Certiorari issue, be granted or allowed in any case touching the Offences aforesaid, where the Freehold or Inheritance shall come in question, before such party so bearing the said Certiorari shall put in good and sufficient Sureties before the Judge or Judges to granting the same, that the said Party shall bring the cause to a speedy tryall, and pay full costs in case the said tryall go against them.

And it is further ordained by the Authority aforesaid, For the better apprehending of Offenders upon the said River and Waters, That it shall and may be lawful to and for the Lord Mayor of London, for the time being, to issue out General Warrants directed to such or to many person or persons as the said Lord Mayor, with the advice of the Court of Aldermen, shall thinke meet for the better catching and apprehending of such persons as shall be found offending in fishing at unlawful times, or by unlawful wares or means, or otherwise shall take any unlawfully, who shall commit any Offences in and upon the said River and Waters, by digging in any other place in the said River of Thames, within the Jurisdiction of the said Lord Mayor, then such as shall be for that purpose appointed by the said Lord Mayor or Court of Aldermen, searching or otherwise, and for the seizing and taking all mized and unreasonable Fish, and all Nets, Boats, Barges, Vessels, and other Engines and Instruments made use of for the committing the Offences aforesaid; and that the said Offenders being apprehended shall be brought to the said Lord Mayor, or to some Justice of the Peace of the County where they shall be apprehended, or near adjoining, who shall have such parties or by Recognizance with one sufficient Surety to appear before the Lord Mayor of the said City at the next Court for conservancy of the said River within the said County, which Recognizance shall be returned to the said Court; and for non-appearance of the Party, the said Lord Mayor shall have power to award process against every such person so making default, to shew cause wherefore he should not forfeit his said Recognizance, and shall have power and authority to hear, determine and levy the same. And for want of such Surety, the said Lord Mayor and Justices respectively shall commit every such Offender to safe Custody until he shall have such sufficient Sureties, or be brought to the next Court of Conservancy as aforesaid.

Provided, That this shall not extend to impoverish the said Lord Mayor or Levy any Summ or Summe of money upon the Lands

or Estate of any person or persons not lying or being within the Jurisdiction of the said Lord Mayor as Conservator of the River of Thames and waters of Medway, but that in all and every such case the Forfeiture and Fines to be levied thereupon shall be to the use of his Highness the Lord Protector, and his Successors, and such Recognizance shall be certified and prosecuted accordingly.

And it is also Ordained by the Authority aforesaid, That the said Lord Mayor shall have hereby power for warning Courts for Conservancy, Summoning Juries, apprehending Offenders as aforesaid, and for Execution of Judgments given in the said Court to direct his warrants for the purpose aforesaid, to such person and persons as he shall think meet.

And it is lastly Ordained by the Authority aforesaid, That all Justices, Sheriffs, Constables, and other Officers and Ministers of Justice whom it shall concern, shall be aiding and assisting to the Execution of the Premises, and to the Powers and Authorities lawfully vested in the said Lord Mayor relating therunto, and that in any action to be brought against any person or persons for any thing done or to be done concerning the Premises, in pursuance of this Ordinance, and of the said Powers and Authorities vested in the Lord Mayor as aforesaid, he shall and may plead the General Issue, and give the Special Matter in evidence. And if at the Trial the Issue shall be found for the Defendant, the Plaintiff shall pay double costs.

Friday, August 11. 1654

Ordered by His Highness the Lord Protector and his Council, That this Ordinance be forthwith Printed and Published.

Henry Scobell Clerk of the Council.

## An Ordinance for the better Regulating and Limiting the Jurisdiction of the high Court of Chancery.

**F**or the better regulating and limiting the Jurisdiction of the High Court of Chancery, and to the end that all proceedings touching relief in Equity, to be given in that Court, may be with less trouble, expence and delay then heretofore, It is hereby Ordained by his Highness the Lord Protector, by and with the consent of his Council,

I.

That from and after the two and twentieth day of October, one thousand six hundred fifty and four, there shall be a certain number of Attornies in Chancery, not exceeding threescore, who shall be nominated by the Master of the Rolls, out of such of the present Clerks in the six Clerks office of the Chancery, or others, as shall be of ability and honesty (and from time to time in case death, or removal, to be supplied by his nomination) who being approved by

the Lords Commissioners, shall be by them sworn Attorneys in the said Court, and shall receive the three shillings four pence, Termly fee, which formerly the six Clerks received, and shall solicit and manage each Clients Cause without receiving any more for their pains of Solicitation, than the said fee of three shillings four pence.

## II.

That from and after the time aforesaid, instead of the six Clerks in Chancery, there shall be three chief Clerks, and no more. And that Lawrence Maidwell, Matthew Pindar, and Robert Hale, Esquires, shall be; and are hereby made and constituted the first three chief Clerks, and that in case of death, or removal of any of them, the said chief Clerks shall be nominated from time to time by the Master of the Rolls, and approved by the Lord Chancellor, Lord Keeper, or Lords Commissioners for the time being; and that the persons before named to be the present chief Clerks, and such as shall hereafter be named and approved as aforesaid being admitted in such manner as the six Clerks formerly used to have been, shall do, execute and perform all and every matter and thing which the six Clerks heretofore might and ought to have done, except intermeddling in any case as Attorneys; and that from and after the time aforesaid, no other person or persons shall use or exercise the Office of a six Clerk in Chancery; and that the Master of the Rolls do take care, that all the Pleadings, Papers, Books, Proceedings, and all other things belonging to or filed in the several Offices of the six Clerks be disposed of and filed in three Offices there, and that the Attorneys aforesaid shall be distributed equally into the said three Offices.

## III.

That all Bills, Answers, Pleadings, &c. shall be filed with the chief Clerk in whose Office the Attorney towards the Cause for the Plaintiff is. And that each of the chief Clerks shall have an inspection into the demeanour of the Attorneys in his Office, that they do their duties, both to the Court and to the Client. And where they shall find any abuse, misdemeanour or unfaithfulness in any of them, such chief Clerk shall acquaint the Court therewith, who shall examine the same, and give reparation to the party wronged, and if they see cause, discharge such Attorney from his place.

## IV.

That the first process in Chancery be a Sub-pena, which shall be open, and that as many Defendants as the Plaintiff shall desire be inserted into the same, paying no more than one shilling and six pence for every Sub-pena, to be thus distributed, six pence for the Seal, and twelve pence to the Officer.

## V.

That no Sub-pena shall be sued out, until a Bill be filed, and a Certificate thereof brought unto the Sub-pena Office, under the hand of the chief Clerk or his Deputy, for which certificate the said chief Clerk shall receive no fee.



That in default of appearance, upon oath made of due service, or in default of an answer within the due time (security being put in as is hereafter provided) an attachment with proclamation shall issue to the Sheriff, who shall cause the same to be proclaimed at the Door of the Defendants dwelling house, lodging, or last abode, between the hours of ten in the Forenoon, and two in the Afternoon by Bailiffs to be nominated by the Sheriff, or by special Bailiffs (which shall not be denied, if required) and the said Bailiffs shall have power for the apprehension of the party (if need shall be) to break open any House or Door where the party is in the day time. Provided, That if the warrant be to special Bailiffs, they shall not break open any House or Door; but in the presence of a Constable, who upon the showing of such warrant is hereby required to be assisting unto the said Bailiffs therein. And if the Defendant cannot be apprehended, nor shall appear by the return of the Writ, the Plaintiff may renew the Attachment as often as there shall be cause, which Attachment shall be in lieu of a commission of Rebellion and Descent at Arms.

VII. The Defendant shall not be compelled to answer until the Plaintiff, with one Surety at least, hath acknowledged a Recognizance before a Master of the Chancery in Ordinary or Extraordinary (the same not to be under thirty Marks) conditioned to pay such costs to the Defendant in that suit, as the Court of Chancery shall award. If they see cause to award any, for which Recognizance there shall be paid the like pence onely, and no more, and such Master of the Chancery shall forthwith certify every such Recognizance into the office of the Petitioner in Chancery, to be there filed, and the Officer there shall give a Certificate thereof to the Plaintiff, or his Attorney, upon request; and for the filing such Recognizance, making such Certificate, and stamping an Alphabet thereof, he shall have and receive the like pence, and no more; but where the Plaintiff shall be admitted in forma pauperis, no such security is to be required.

## VIII.

That where a Defendant might answer by commission in the Countrey, he shall not now be enforced to take a commission, but without taking any commission may answer upon Oath before a Master of the Chancery in the Countrey in like manner, and by such time as the commission had issued. And that the Lords Commissioners for the great Seal do take care, that for that purpose, there be in every County a convenient number of such of the Justices of the Peace, resident in that County, as they shall judge to be of the greatest ability and integrity, appointed to be Masters of the Chancery extraordinary; and that any such Master, or any Master in ordinary, after the answer is sworn before him, shall sign the same, and give it into Court himself, or otherwise being sealed up, deliver it to some person to deliver the same into Court, and to make Oath that he did receive the same from the hand of such Master of the Chancery, and that since the receiving thereof the same hath not been opened or altered.

## IX.

That upon deliberating in the answer, the Attorney for the Defendant

that do take care that hee be provided with names of Persons for Commissioners to be given by him upon a rule given to rejoin.

## X.

When an answer is put in, the Plaintiff shall reply within eight daies, if the answer come in in term time, otherwise within four daies after the beginning of the next Term, unless the Plaintiff shall within eight daies after the answer come in, put in exceptions therunto, or procure the cause to be set down for hearing on bill and answer, to be heard the next Term; otherwise the cause to be dismissed without motion, with costs to be taxed by the chief Clerks.

## XI.

That no copies shall be given out of any Bill, Answer, or these Pleadings, untill the same shall be filed with the chief Clerk; And that each of the said chief Clerks, where such Pleadings shall be filed, shall by himself, and such Clerk as he shall appoint, for whom he is to answer, upon delivery out of such pleading to be copied, take the name of the Attorney to whom it is delivered, subscribed in a Book to be kept for that purpose; and if any Attorney, to whom any pleading is delivered to be filed, shall neglect to file the same, or after filing, if the Attorney to whom any pleading is delivered to be copied, shall neglect to bring back the same in due time, if the same be through negligence, and not voluntary, he shall make satisfaction to the party damaged thereby, as the chief Clerks for the time being upon examination thereof, shall award: but if upon such examination it shall be found that the same was done voluntarily, he shall not onely make satisfaction as aforesaid, but shall be expelled the Court.

## XII.

That in case the Plaintiff think fit to except to the answer for insufficiency, the Plaintiff shall deliver the exceptions in writing to the Defendants Attorney within eight daies after the answer filed, and shall enter the cause with the Register, and in the same order as they are entered, the same shall be heard by the Master of the Rolls, who shall appoint one or more daies in every week for that purpose, and at every sitting shall appoint his next day of sitting, and how many of the said causes shall be then heard upon exceptions, in the same order as they are entered, on which daies the parties shall attend at their perill, and the Master of the Rolls upon hearing thereof shall give such costs as shall be fitting.

## XIII.

If a Defendant both appear and answer insufficiently, and if he be so ruled; or shall plead and demur, and the same be over-ruled, then if upon a rule given he shall not answer within eight daies, the Plaintiff may proceed in such sort as is before directed in case the Defendant had not appeared.

## XIV.

That after an answer, if it shall appear at any time unto the Court, that no part of the matter of the Plaintiffs bill is then proper for relief in that Court, the Court shall dismiss the bill with full costs, upon a bill to be allowed by the chief Clerks; but if some particular part of the bill be thought fit by the Court to be proceeded in, the Court then shall direct the examination and proceedings upon that particular

cular point, and the Defendant not to be enforced to proceed to examination upon any other matter.

## XV.

The Plaintiff the next day after the replication filed, or the same day if hee will, shall cause a rule to be entered for the Defendant to appear and join in commission; which if the Defendant shall not do within eight dates, then the Plaintiff may take a commission ex parte, and the Defendant shall have no new commission in that cause.

## XVI.

That no witness shall be examined in Court, but by one of the Examiners themselves, unless in case of sickness, and that one of the Examiners shall examine the Witnesses of the Plaintiffs part, and the other the Witnesses of the Defendants part, if any be produced to be examined in Court, and that no Clerk in that office shall be a Solicitor upon pain of losing his Place.

## XVII.

That all commissions for examination of Witnesses shall be open.

## XVIII.

That a commission to examine Witnesses may be taken out to be executed at any place as well within ten miles of the City of London, as beyond it, if the party please.

## XIX.

That Commissioners for examination of Witnesses shall take an Oath before execution of any commission, to execute the same faithfully, and impartially, which each Commissioner is impowered to administer to the other; And the Clerk or Clerks attending such Commissioners shall take an Oath, which is to be administered by the Commissioners, to write down the depositions of the Witnesses truly and impartially without partiality; and a clause shall be inserted into the commission for that purpose.

## XX.

That the Plaintiff having the carriage of the commission, shall at his perill appoint a day and place for execution thereof at least eight dates before the return of the commission, and give due notice thereof, (unless in case where the day and place shall be agreed by the Attorneys on both sides, before the commission go forth) and shall at the day and place appointed produce the commission, and deliver the same to the Commissioners then present, to the end they may execute the same; or in default thereof the Plaintiff shall be absolutely concluded from having any other commission, or examining any more Witnesses in that cause; but in such case the Defendant shall be at liberty to take out the then next Term, one commission (or more) into several Counties (if he see cause) wherein the Plaintiff may join, but shall not examine. And to prevent delay, the Defendant, if he please, may take out a Duplicate when any commission is sued out to examine Witnesses; and if the Plaintiff shall not give due notice to execute his commission eight dates before the return of the commission, the Defendant may execute his Duplicate at any time before the return, giving notice of the time and place where he intends to execute the same, one day at least before the execution thereof.





That there shall be no more then two Commissions at the most for examination of Witnesses in any one cause to be executed in England or Wales, unless where one shall be suppressed; and in case either Party have any Witnesses in Scotland, or beyond the Seas to examine, setting down the names of such Witnesses, and delivering them to the Attorney of the other side, he may take out a Commission within the time before limited, wherein the adverse party may join, if he will, within four daies after notice; otherwise the Commission shall issue ex parte.

Provided, That the parties, or either of them (if the Court see cause) may have federal Commissions into federal Counties of the same date.

## XXII.

That after the execution of one Commission, no second Commission shall be taken out, but by order of the Court, and upon Affidavit that some material Witnesses, whose names shall be therein expressed, have been discovered since the execution of the former Commission; or that some of the Witnesses intended to be examined at that Commission, and which are material, could not be found; or by reason of sickness, or like just cause could not attend that Commission; in such case onely those Witnesses which shall be named, shall be examined by such second Commission; and the same shall issue, and be executed at the charge of the party praying the same, unless the other side shall also desire to examine any Witnesses by any such second Commission; and then he shall likewise set down their names.

## XXIII.

That after the return of a Commission executed, or Witnesses examined in Court, there shall be but one rule for publication; within which time, if the other side do not shew unto the Court good cause to the contrary, publication shall pass accordingly.

## XXIV.

That from and after the two and twentieth day of October, One thousand six hundred fifty four, no Order or Direction concerning any cause depending in Chancery be made or given, but upon motion in open Court; that then both parties concerned, or their counsel, may be heard.

## XXV.

That the chief Clerks, and likewise the Attornyes do diligently attend in Court, and do give an account touching any Proceedings in any cause depending in Court, as they shall be required.

## XXVI.

That the chief Clerks shall have and receive one moiety of the Fees for copying, and for all other matters and things contained in the Table hereunto annexed, such and so much of the Fees therein set down proportionably (with respect to the same, as they are by the said Table reduced) as the six Clerks formerly did and might receive.

## XXVII.

That no Injunction be granted, but upon motion in open Court, satisfying

satisfying the Court with such matter, which may induce the Court in Justice to grant the Injunction; but the Defendants taking a Commission, or sitting an Attachment onely, shall not bee a sufficient ground for an Injunction.

## XXVIII.

That no Injunction bee granted before the hearing of the cause, to stay a Suit at Law, but upon matter confessed in the Defendants answer, matter of Record, or in writing under Hand and Seal produced in Court.

## XXIX.

That no Injunction granted after a Plea pleaded at Law, or Rules given, shall stop a Tryal at Law, or any pleadings or proceedings preparatory to a Tryal.

## XXX.

That from and after the two and twentieth of October, one thousand six hundred fifty four, no Injunction bee granted to stay the Mortgagee from his Suit at Law, till the final hearing of the cause; but an Injunction may bee granted to prevent the Mortgagees pulling down Houses, cutting Trees, or making other waste and spoil upon the mortgaged Land.

## XXXI.

That all differences touching irregularities in Proceedings, or upon the Rules or course of the Court, shall bee determined by the chief Clerks, or any two of them, whom the Attorneys on both sides are to attend; and in case either side shall not rest satisfied with their Judgement therein, they may appeal to the Master of the Rolls, who upon hearing the Attorneys on both sides (and the chief Clerks who made the Certificate) if he see cause, shall settle the same, and give costs where he finde the fault.

## XXXII.

All other References shall bee determined by the Masters of the Chancery, or Ordinary, which shall bee onely six in number, to bee now, and from time to time appointed by the Lord Protector for the time being; of which six, three shall sit daily at some certain publick place, so long as any such References depend; and shall have a sworn Register to attend them, who shall in presence of them and the Counsel, read the Notes taken in each cause upon any Oyer made, or Report agreed; and the same being so read, shall bee subscribed by the Masters then present, or any two of them; and afterwards the Report shall bee drawn up by the said Register, and subscribed by the same Masters, and certified: And that from and after the two and twentieth day of October, one thousand six hundred fifty four, no other person or persons shall exercise the Office of a Master of the Chancery in Ordinary.

## XXXIII.

That for every such Report, the party desiring the same, shall pay unto the said Register twelve pence for each side of the Report; and ten Willings upon every such Report to bee distributed amongst the three Masters, before whom such cause was heard, for which the said Register is to account unto them.

For every Order which the said Masters shall make for new appointments or summons, or of the like nature, the said Register shall have onely Twelve-pence, and no more.

## XXXV.

That all References made by the Court to the Masters, shall bee set down by the Register, who draws such order in a Book for publick view, and shall bee heard in their order, as they are so referred and set down, without alteration; provided there shall onely eight bee put in the paper to bee heard at one time; and both parties are at their peril to attend the same at the time, or in default thereof, the cause to be proceeded in as if they were present.

## XXXVI.

If any Counsel shall mis-inform the Court of any matter contained in the pleadings, proofs or evidence, whereof he may have the perusal, or of any other matter whereof his Client did not inform him, and thereupon obtain an Order, which the Court shall afterwards see cause to discharge; the Counsel so mis-informing, shall bee reprehended openly in Court; and before he shall bee heard any more in Court, shall pay forty shillings to the party wronged by such mis-information, and twenty shillings to the use of the Lord Proctor.

## XXXVII.

But if such information bee of matter of Fact, whereof the Counsel cannot bee otherwise certified, than by the information from his client, then the client, Attorney or Solicitor, who gave such information, shall pay forty shillings unto the party wronged, and shall stand committed by order of the Court till he pay the same.

## XXXVIII.

That from and after the said two and twentieth day of October, one thousand six hundred fifty four, every Attorney shall keep all and every Affidavits, whereupon he shall make forth any Writ or Process, in his own custody; and shall shew the same to the Attorney of the other side, and suffer him or any other person to take a copy thereof, if he shall require it; And that the Senior Register shall appoint a Clerk of honesty and integrity to attend in Court, and at the Rolls, and at Deals, who shall take an Oath before the Lord Chancellor, Keeper, or Commissioners for the Great Seal, to bee faithful in this employment; and shall receive into his custody all and every Affidavit which shall bee read in Court, or upon which any Order shall bee grounded; and shall duly file the same, and keep an Alphabet thereof. And in case the party, at whose instance such Affidavit was made, shall have cause to have a copy thereof, he shall pay unto the said Clerk for the same, four pence for the Filing, and three pence for every side for a copy thereof; and the other side, or any other person desiring it, may also have a copy at the same rate; and the Register shall have for examining and signing such copy, six pence and no more.

## XXXIX.

That the former Rules of the Court for admission of Paupers bee duly observed; and in such cases where by the Rules aforesaid, costs



costs are to be paid, in case the party who ought to pay the same be a Pauper, the Court shall give order, that unless the costs be paid, such person be whipped or sent to the House of Correction.

## XL.

That all causes shall be set down for hearing, in order as they were published, without preferring one cause before another, and shall be so presented by the chief Clerks without taking any fee for the same; and the causes being so set down, shall be heard in the same order.

## XLI.

And that every cause shall be heard the same day on which it is set down for hearing; and for that purpose, the Lords Commissioners, if there be cause, shall sit for hearing such causes in the afternoon as well as the forenoon except upon Saturdays.

## XLII.

That from and after the five and twentieth day of March, one thousand six hundred fifty and five, all Causes shall be heard the next Term after publication; or if they be more in number than may probably be heard that Term, they shall be set down on certain days next after the Term, and attended and be heard upon those days as if they had been set down for that Term; and that Subpoenas to hear Judgement shall be made returnable upon such respective days accordingly.

## XLIII.

That no relief shall be given in Chancery against a Bond (which is only for payment of Money) to be entered into, from and after the five and twentieth day of March, one thousand six hundred fifty five.

## XLIV.

That no trust or agreement made, or declared after the five and twentieth day of March, one thousand six hundred fifty and five, concerning Lands, or any other thing in the realty shall be relieved in Chancery, unless it be contained in writing, and so altered in the Bill, save in such cases where the possession hath gone a long way to the party claiming the trust.

## XLV

That no Bill shall be admitted, nor any relief given in Chancery upon averment of any intention of the parties to a Deed to be made from and after the five and twentieth day of March, one thousand six hundred fifty five, other than what both appear by the Deed it self.

## XLVI.

That the Chancery shall not give relief in any case where the Plaintiff can have relief at Law, unless it be for the performance of the thing in kinde where it cannot be had at Law.

## XLVII.

That no Decree shall be made in Chancery against an Act of Parliament.

## XLVIII.

That from and after the five and twentieth day of March, one thousand six hundred fifty and five, Legacies shall be sued for at common Law, and not in Chancery.

That from and after the said five and twentieth day of March, one thousand six hundred fifty and five, no relief shall be given in Chancery, on a Mortgage after three years forfeiture, or unless the suit be commenced within one year after the entry and possession of the Mortgage continued, except upon some new agreement between the parties themselves in writing, and except in cases of Infancy, Coverture, non sana memoria, or beyond Seas. In which cases the persons concerned shall commence their suits within two years after the disability removed, or in default thereof shall be debarred from any relief afterwards; And in case of such new agreement, the like rule to be observed after the time, by such new agreement limited, shall be expired.

That in case of Mortgages to be made from and after the five and twentieth day of March aforesaid, where the Mortgage is in possession by recovery at Law, or otherwise, he shall not (except by agreement in writing) be put to account for the yearly profits accrued after such his entry before the suit for redemption be commenced, but the same shall belong to, and be retained by him without account, if by his answer, or at the hearing he shall elect to take the same in satisfaction of the Interest of his Money; while he had the possession, except the Mortgagee shall rather elect to be concluded by the Mortgagee examinations upon Interrogatories concerning the profits by him received.

That such Mortgage before the Mortgagee be admitted to redeem, shall be paid his whole principal Money with damages, and his full costs incurred before his entry, and also after the suit commenced, to be taxed by the chief Clerks upon a bill of costs, wherein and in all other cases of Mortgages to be made from and after the time aforesaid, the Mortgagee shall be charged (in case the Lands be letten to Tenants) with no more than what he did, or might fairly have received without fraud, or his own wilful default; And where the Lands are unletten, and kept in his own hands, with no more than four fifth parts of the true yearly value. But if after such entry any casual profits by Fines upon Copy-holds, Wren-sales, or otherwise shall be received by the Mortgagee above the yearly revenue of the same mortgaged, then the same shall go on in abatement of Principal and Interest due before such entry. Provided that where in the cases aforesaid an account shall be, all lawful Tares and necessary disbursements and allowance shall be allowed to the Mortgagee.

That where upon a Bill exhibited by a Mortgagee to enforce redemption on to have the estate absolute, a Decree passeth, and is signed and enrolled, the time thereby limited for the payment of the Mortgage-money with damages, shall not be enlarged without consent of parties in writing.

That where Lands shall at any time from and after the five and twentieth

thirtieth day of March aforesaid, be extended upon any Statute, Recognizance, or Judgement, and an account sought to be had in Chancery; the Tenant by extent or elegit, shall not be put to account for then the extended value, unless the Suit in Chancery be commenced within one year after such extent shall be executed, and possession delivered, and enjoyment thereupon accordingly; and that the same Suit be effectually prosecuted, except in case of Insolvency, Intemperance, non sine memoria, or being beyond the Seas: In which Cases, one year and no more shall be allowed to demand an account in Chancery after such disability removed.

## LIV.

That the Office of Register in Chancery shall not henceforth be executed by Deputies, but that there shall be four Registers of the said Court.

## LV.

That the Senior of them shall from time to time be Master of the said Office, and shall have the care, custody, and government of the said Office, and of all the Books of Entries, Reports, Certificates, Affidavits, and other matters filed there, and also of the Clerks in the said Office; and shall take care that the business in that Office be done with faithfulness and diligence, and that no fees be taken as required, other than what is contained in the Table hereunto annexed.

## LVI.

That in case of death, or removal of the said Senior Register, the next in Seniority shall succeed in his room; and as often as any Register's place shall be void, the Senior Register for the time being, shall make choice of the most able and honest of the Clerks in that Office to supply that place, who being presented to the Lord Chancellor, Lord Keeper, or Lords Commissioners for the great Seal, for the time being, and by him or them approved, shall be sworn and admitted.

## LVII.

That each of the said Registers shall have and retain to his own use, the fees mentioned in the Table annexed, which shall be due for any the matters by him done, bearing his own charge, and his proportion of the Rent of the said Office.

## LVIII.

That the Lord Chancellor, Lord Keeper, or Lords Commissioners for the great Seal, shall upon complaint to them made concerning any abuse, misdemeanors, or unfaithfulness in any of the said Registers or their Clerks respectively, have power to hear and examine the same, and to order reparation to the party wronged, and also to discharge such Register or Clerk from his place if they shall see just cause.

## LIX.

That the Judgement pronounced upon every hearing, and the rule given on every motion, shall be truly taken, and fairly written by the Register, and openly read before another cause or motion be begun; to the end if the same be mistaken, it may be rectified by the Court, and that it be left to the Register afterwards only to



add the inouement, or reason of such Judgement or Order and other formalities requisite.

## L X.

Where any Bill shall bee dismissed by the rules of the Court, or order before hearing, the Defendant shall have his full costs, upon a Bill of costs to bee allowed by the chief Clerks.

## L X I.

Every Plaintiff who shall not in all or some of the matters complained of, bee relieved by the Court upon the hearing, shall pay the Defendant his full costs upon a Bill of costs to bee allowed by the chief Clerks, or any two of them; and in case the Court upon the hearing shall finde the suit to have been veracions, the Court shall give additional costs against the Plaintiff, to bee pronounced by the Court at the hearing, besides the said costs to be taxed upon the Bill.

## L X II.

Every Defendant against whom a Decree is made, shall pay the Plaintiff his full costs to bee allowed as aforesaid, unless the Court shall at the said hearing see cause to mitigate or discharge the same upon some special reason to bee expressed in the Order.

## L X III.

If any kinde him or themselves aggrieved by any Decree which shall bee made in Chancery from and after the two and twentieth day of October, one thousand six hundred fifty four, then the party or parties so aggrieved, first performing the Decree in all points (except in doing such Act which extinguisheth the parties right at the common Law, as making of an assurance, release, acknowledging satisfaction, cancelling bonds, or evidences, or the like) and depositing the Sum of fifty pounds in the hands of the Senior Register for the time being to answer full costs and charges in travel, attendance and otherwise to the adverse party, in case such person be not relieved upon a petition to bee exhibited in that behalf to the Lord Chancellor, Lord Keeper, or Lords Commissioners for the great Seal for the time being, within three Moneths after the Decree made, having first performed so much of the Decree as within that time is to be performed, shall have the cause reheard upon the proofs and evidence given at the former hearing, and no other; and that upon the presenting of such petition in open Court, the Lord Chancellor, Lord Keeper, or Lords Commissioners, being first satisfied that the Decree is performed as aforesaid, and the fifty pounds deposited, shall the next day after, under their or two of their hands subscribed to the said petition, signifie their allowance of a rehearing of such cause, and shall send notice thereof together with the said petition to the Courts of the Upper Bench, Common-pleas, and Court of Exchequer; whereupon the said Courts shall appoint six of the Judges, that is to say, two of each Court (of which six Judges the chief Justice of one of the Benches, or chief Baron of the Court of Exchequer shall be one) and shall signifie the same to the Lord Chancellor, Lord Keeper, or Lords Commissioners, who together with the said Judges, shall appoint a day for such rehearing, at which time the said six Judges or the major number of them shall bee present. And the said Lord Chancellor, Lord Keeper, or Lords Commissioners, together with the

the said Judges, or the major number of them, shall rehearse the said cause upon the Proofs and Evidence read and given at the said former hearing, and no other, and shall have power to make void, alter or confirm the Order or Decree made upon the former hearing, as they or the Major part of them shall think fit. And such Order as shall be so by them made, shall be final in the said cause, and in case they shall not see cause to alter the order or decree made upon the former hearing, then they shall order to the adverse party his full costs upon a Bill thereof to be made and allowed by the chief Clerks, together with such addition of costs for his cause's variation, as they shall think fit. Provided, That if the Decree be for payment of Money, the payment of the Money into the Court, shall be accounted a performance of the Decree so far as to enable the party to have a rehearing as aforesaid.

## LXIV.

That no Defendant who is prosecuted by an Officer, Clerk or Minister of the Court of Chancery, shall be enforced either to appear in person in the pettybag Office, or to put in any other Bail then he should do, if he were sued in another Court, at common Law by a party not Privileged.

## LXV.

That the Master of the Rolls, and Masters of the Chancery respectively shall not demand, take or receive any other fees than what are contained in the Table annexed; and that every offence in that behalf shall be and is hereby adjudged and declared to be extortion, and shall be punished as extortion.

## LXVI.

That no Register, chief Clerk, Examiner, Attorney of the said Court, or Officer for making Subpoena's shall either directly or indirectly demand, take or receive any other fees, or sum of Money, than what is contained in the Table annexed, for or in respect of any cause depending in the Court of Chancery, Writs, or Proceedings therein, Copies of Records or other thing there filed, registered or put to the Seal; and that every such offence shall be and is hereby ordained, adjudged and declared, and shall be reputed and taken to be extortion, and shall be punished as extortion; and that every person and persons so offending and thereof convicted, shall be and is, and are hereby disabled to bear any Office of trust or profit in the Commonwealth.

## LXVII.

That neither the Lord Chancellor, Lord Keeper, Lord Commissioners of the great Seal, Master of the Rolls, nor any Officer of the said Court shall either directly or indirectly take or receive any sum or sums of Money, gratuity or reward, for nominating or admitting of any person or persons to any office or place within his or their disposition in the said Court, upon pain of losing his office, and paying double the sum or value of the gratuity or reward so received; the one moiety thereof to the use of his Highness the Lord Protector, and the other moiety to the use of the party who shall sue for the same, by Bill, Plaint, or Information in any Court of Record.

And lastly, it is Ordained by the Authority aforesaid, That the

the Chancelor, Keeper of Commissioners of the Great Seal for the time being, shall, according to the times, and in the manner by this Ordinance prescribed, put in execution all the Rules, Laws, Orders and Directions before mentioned; and take care with all diligence and circumspection, that all the Officers, Ministers, Clerks and Servants belonging to the said Court, do honestly and faithfully perform the duty of their several and respective places; and if they be found any ways faulty, that they be publicly rebuked, displaced, or otherwise punished according to their desert, that for the future there be no more cause of just complaints from the people.

### *Fees to the Master of the Rolls.*

	<i>l. s. d.</i>
For every single perpetuity	00 02 00
For every double perpetuity	00 02 00
For every grant for life, except Wine-Licenses	00 01 00
For every grant of any Office	00 02 00
For every License for selling Wines	00 01 00
For every Sheriffs Patent	00 02 00
For the <i>Dedimus Potestatem</i> to take the Sheriffs Oath	00 06 08
For every Exemplification	00 06 08
For every Cancellation	00 06 08
For every Decree and Dismission	00 06 08
For the Inrolling of every Deed and Recognizance	00 02 00
For every <i>venit. fac. ad triand. &amp;c.</i>	00 06 08
For every Writ of Extent	00 06 08
For every <i>Liberate</i> upon an Extent	00 13 04

### *Fees to the Masters of the Chancery.*

	<i>l. s. d.</i>
For an allowance for Roabs out of the Hannaper	06 14 00
For oaths upon Affidavits, Answers, and to Witnesses to be examined in Court, for every Oath	00 00 04
For acknowledgments of Deeds and Recognizances	00 02 00
For Oaths taken to Articles for granting of Supplications	00 02 04
For examining all Records which are to be exemplified, for every skin of Parchment	00 02 00
For every cause upon a Reference to the three Masters, who shall hear the same	00 10 00

*Sub-*



## Sub-pœna office.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For every Sub-pœna, of what nature soever, and Labels thereof	00	01	00
For renewing the same	00	00	06
For the Seal to each Sub-pœna	00	00	06
To every Counsel under the degree of a Sergeant, for a motion	00	10	00
To every Counsel on a hearing	01	00	00
To the Counsel for the Lord Protector and Sergeants at Law for every motion	01	00	00
And for every hearing	01	00	00

## Chief Clerks and Attorneys:

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For every Cause to the Attorney, the Termly Fee of	00	03	04
For an Attachment, besides six pence for the Seal	00	01	02
For copying of all Bills, Pleadings, Depositions, Records, Rolls, Evidences, remaining in that Court, Certificates, &c. for every sheet containing fifteen lines and every line ten words	00	00	04
For every Commission to examine Witnesses	00	03	04
For every joining in such Commission	00	03	04
For every Injunction	00	06	08
For signing by the Lords Commissioners	00	02	00
For signing by the Master of the Rolls	00	01	00
For a Distringas	00	03	04
For every special Certiorari or Procedendo	00	03	04
For every Habeas Corpus	00	03	04
For every Superedeas	00	03	04
For every special Commission	00	05	00
For every Writ of Execution of an Order	00	03	04
For drawing and enrolling every Decree or Dismission, if but one skin	00	06	08
If longer, then six pence per sheet afterwards	00	00	06
For every Writ of Execution upon a Decree directed to the Sheriff or Coroner	00	06	08
For every Exemplification, every skin	00	13	04
The Chast Wax	00	00	04
Signing the Dorquet	00	01	00
For enrollment of all Patents, Commissions, Licenses, Pardons, & other Warrants wharsoever which pass the Great Seal, after the rate of Ten shillings for every skin	00	01	00
For every Sheriffs Patent, Writ of Assistance, Writ of Discharge, Ded. Potest. & the Attorneys Fee	00	13	06

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	<i>l.</i>	<i>s.</i>	<i>d.</i>
For every Writ of Audita querela	00	10	00
For every Writ of Scire Facias	00	02	06
For a Superfedeas of Privilege	00	03	04
For every Mittimus that passeth the Seal	00	03	04
For the transcript after the rate of every skin	00	13	04
For every Search	00	00	04
For every Writ of Bastardy	00	03	04
For three Proclamations	00	02	06
For filing every Writ whereby one Oath or Acknowledgment is received, or the transcript of any Record thereby certified	00	01	00
For every Dedimus Potestatem, to take an acknowledgment or Cancellation of any Patent, Deed, Indenture or recognizance	00	03	04
For Writing of every Grant, Patent, &c. belonging formerly to the Six Clerks	00	13	04
For every Liberate, and every Allocate	00	04	00
For the Enrolment thereof	00	01	08
For all Writs of Discharge of Tenths and Fifteenths, for every of them	00	03	04
For every Writ of Superfedeas for any Parliament man or his Servant	00	03	04
For every Writ of Expende, <i>Milit. &amp; Burgenf.</i>	00	03	04
For every Certiorari of Court	00	01	00
For every Procedendo of Court	00	01	00

*Register's Fees.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For the Entering of an Attachment	00	00	02
For entering of a Dismission upon the general Order with Costs	00	00	06
For entering of any other Bill of Costs taxed by a Master	00	00	02
All ordinarie Rules to make Answer, Reply, Rejoinder	00	00	02
For a Rule for publication upon a joint Commission, or otherwise	00	00	02
For the entrie of an appearance upon an Attachment, Bond or Commandment	00	00	02
For the Warden of the Fleet upon every such appearance	00	01	03
The Entry of every Commission to examine witnesses <i>ex parte</i>	06	00	04

If

If it bee a joint ordinary Commission	00	00	08
The Entry of every Commission to hear and determine	00	01	00
The Copy of any of these if required	00	00	02
The entring of a day given to the Sheriff for returning an Attachment, or to bring in the body upon a <i>Capi</i> return'd	00	00	06
The Copie of the Rule, if required	00	00	02
For signing such Copy of any Rule	00	00	02
For a Note of a day of hearing	00	00	04
For the draught of every Order, Decree or Dismission, not exceeding one side, and for signing thereof	00	01	06
For entry of every such Order	00	00	03
If such draught exceed one side, then according to the proportion of <i>1s. 6d. per side</i>	00	01	06
Ane for Entring, after the rate of three pence per side	00	00	03
For any Order, Decree or Dismission not made upon motion or hearing, but by consent under the hands of the partie's Counsel or Attorneys, and for the Copies thereof signed by the Register, whereof either side hath one; if it bee but one side, the Plaintiff to pay one shilling six pence, and the Defendant to pay the like, and if it exceed one side, then after the same proportion each of them	00	01	06
For the entring of such Order, for every side	00	00	03
For copying of any Order entred, Report, Petition, Certificate of Referrees Account, Certificate of the chief Clerks beeing filed	00	00	03
For signing such Copie to the senior Register	00	00	06
For every search for Order, Reports or Petition for each year	00	00	02
For a Certificate of no cause shewed, signed, to the Register that signifieth the same	00	00	06
For filing of every Report, Certificate, Account or Award	00	00	02
For every DECREE signed by the Lord Chancellor, Lord Keeper, or Lords Commissioners, to whom the same is presented by the Register	00	02	06
For every dismission which hee shall procure to bee signed	00	01	08



For entring of every Caus, Demurrer, or other business in the paper of Causes to bee heard by special Order or Warrant to the Deputy- Register	l. s. d. 00 00 06
For entrie of any Decrees drawn up and enrol- led, whereby any Lands or Lease is decreed or charged with any summe of money, An- nuity, &c.	00 00 06
For a Certificate thereof	00 00 06
To the Clerk that file's an Affidavit, from the partie at whose instance it is made ( if hee com for a copie ) for the accompt of the senior Register	00 00 04
For the copie of such Affidavit, for every side to the same Clerk	00 00 03
For examining and signing such Copie to the seni- or Register	00 00 06

### *Fees of the Examiners.*

For the examination of every Deponent, Defen- dant or Delinquent at	l. s. d. 00 01 00
For the copies of all Depositions and Interroga- tories, for every sheet containing fifteen lines unwastefully written	00 00 06
For all Certificates upon Exhibits	00 00 06
For all other Certificates whereunto their hands are required	00 01 00
For the Exemplification of Depositions, for every skin	00 13 04
For the Examination of any copie of Depositions, with the Record which is to bee given in evi- dence in any other Court	00 03 04
For the Examination of every Deponent unto whom the Examiner is required to travel out of his Office	00 03 04

Tuesday, August 22. 1654.

Ordered by His Highness the Lord Protector, and his Counsel, That this Ordinance be forthwith Printed and Published.

Hen. Scabel, Clerk of the Council.

An

## An Ordinance for the Ejection of Scandalous, Ignorant and Insufficient Ministers and School-masters.

**W**HEREAS by the continuance of divers Scandalous and Insufficient Ministers and School-masters in many Churches, Chappels and publick Schools within this Nation, the more effectual propagation of the Gospel, and settlement of a goodly and painfull Ministry, is much obstructed, and no Authority now in force for removing such Ministers and School-masters; for remedie thereof, Be it Ordained by His Highness the Lord Protector, by and with the consent of his Council, That the persons hereafter named, shall bee and are hereby appointed and constituted Commissioners for and within the respective Counties within England and Wales, for the ends and purposes hereafter in and by this Ordinance expressed and directed; That is to say,

### Bedford.

For the County of Bedford, Samuel Brown Serjeant at Law, John Harvey, John Okey, Richard Edwards, Peter Neal, John Neal, Joseph Barbor, St. John Charnock, John Cockayne, Edmund Wingate, Samuel Bedford, Francis Alfrey, Richard Wagstaff, Caius Squire, Edward Cater, Esqs; Peter Malory, Gent. John Crook, John Grew of Bedford.

### Berks.

For the County of Berks, Philip Lord Wharton, Samuel Dunch of Puzey, Cornelius Holland, Arthur Evelin of Bradfield, Trapham of Abington, Thomas Wood of Windsor, Stroud of Ruckum, Esqs; Major Richard Fincher of Cheertly, Mr. Angel Bell of Ockingham, Mr. Nutkin of Ockingham, Major Francis Allen of Abington, Mr. Mills of Hungerford, Robert Stanton, Samuel Bellingham of Redding, Esqs; Colonel Christopher Whitecourt Governor of Windsor, Samuel Wighewick Esq; Mr. Cook of Wallingford, Mr. Rusden of Wallingford, Mr. Thomas Fettiplace, Thomas Cox of Stanford, John Collins of Betterton, Robert Lush of Sparhawk, Andrew Keep of West-Hendred, Phillip Allen of Wantage, Thomas Stanton of Upton, George Lambole of Redding Esquires.

### Bucks.

For the County of Bucks, Philip Lord Wharton, Philip Skippon Major General, Isaac Pennington Alderman of London, Richard Ingoldsby Esq; Thomas Scot Esq; Christopher Eggleton Esq; John Deveril Esq; Anthony Ratcliff Esq; George Fleetwood Esq; William Grange of St. Leonard, Thomas White Esq; Henry Whitebread, William Scot Esq; Richard Baldwin Gent. William Grimesdale Gent. Francis Russel Esq; Edmond West, Simon Mayn, Richard Beke, Esquires.

Cambridg

## Cambridge and Huntington, with the Isle of Ely.

For the County of Cambridge and Huntington, with the Isle of Ely, Henry Lord Cromwell, Henry Lawrence, Lord President of His Highness Council, John Disbrow Esq; Edward Montague Esq; John Thurloe Esq; Stephen Pheasant Esq; Pickering of Cambridge, Richard Tynes Alderman of Cambridge, Alderman French, Robert Casile Esq; Thomas Bendish, Joseph Everiden, Richard Stays North of Wyppick, Francis Russel Esq; Edward Leeds of Croxton Gent. Isaac Disbrow, John Lowrey, Henry Pickering Esq; Mr. Bryan Alderman of Cambridge, Samuel Spaulding, Robert Vinter, Griffith Lloyd, Gentlemen, Nicolas Pedley Esq; Gervase Fulwood, Doctor Syncoats, Ralph Mallory.

### Chester.

For the County of Chester, Humphrey Mackworth Esq; Sir William Brereton, Baronet; Sir George Booth Baronet; Sir Henry Delves Baronet, Robert Duckenfield Esq; Thomas Manwaring Esq; Jonathan Brewen Esq; Henry Birkenhead, John Crew of Utkington Esq; Mr. John Ratcliff of Chester, William Tucket Esq; John Lee of Booth Esq; Robert Gregg, James Gartside, Nicolas Goulborn, Calven Bruen Alderman of Chester, Peter Leigh Alderman of Chester, Richard Green Esq; Richard Wright Gent. Edward Bradshaw Mayor of Chester.

### Cornwal.

For the County of Cornwal, Francis Rous Esq; Anthony Rous Esq; Hugh Boscawen Esq; John Moyl Esq; Anthony Nicol Esquire, Richard Carter Esq; Andrew Trevill Esq; Thomas Ceely Esq; John Thomas Esq; Richard Penwarrn Esq; Robert Bennet Esq; John Fox of Pendinnis, Thomas Howel of Truro, Peter Ceely, Chattey of Truro.

## Cumberland, Durham, Northumberland, and Westmerland.

For the Counties of Cumberland, Durham, Northumberland, and Westmerland, Philip Lord Wharton, Sir Arthur Hesilrige Baronet; George Fenwick Esq; Charles Howard Esq; Henry Ogle Esq; Robert Fenwick Esq; Ralph Salkeild Esquire; William Webb, Andrew Crisp, Edward Nelson, Thomas Erastter of Carlisle, John Wood of Cockermouth, Cuthbert Stodholm, Thomas Lingham, William Thompson, William Brisco Esq; John Middleton, Anthony Smith of Durham, Thomas Lacy of Sunderland, Thomas Huntley, Robert Sharp, Robert Lilburn Esq; Alderman Ledgard of Newcastle; Mr. John son of Newcastle, William Garnet of Oallerton, William Applegarth, James Cook of Kendal, John Archer of Kendal, Christopher Lister Esquire.

Derby



## Derby and Nottingham.

For the Countie of Derby and Nottingham, Sir Francis Burdett Baronet; Sir Samuel Sleight Knight, John Ferrars Esq. James Abney Esq. Thomas Sanders Esq; John Gell Junior Esq; Nathanaël Hal- lows Esq; Robert Mellor, Edward Gell, Jervis Benner, Nathanaël Bar- ton, Edward Mould, John Spateman, Edward Charleton, Edward Whaley Esq; Gervase Piggot Esq; Edward Cludd, William Wighams of Stoke, Thomas Linley, Charles White, John Oddingsels, Christo- pher Wilfon of Newark, Thomas Bristow of Elston Gent. Richard Trueman, Philip Lacock of Stoke Esq;.

## Devon and Excester.

For the County of Devon and Excester, John Disbrow Esq; Ar- thur Upton Esq; Thomas Reynel Esq; Thomas Sanders Esq; John Blackmore Esq; James Erisie Esq; John Elford, Henry Haufel, John Copleston, John Serl, William Morrice, Esqs; John Plea of Dart- mouth, Christopher Ceely, Justinian Peard, Martin Parrie of Ply- mouth, John Wollacomb, Rowland Whiddon, Thomas Bampfield, James Pearl, Esqs; John Rowe of Crediton, Christopher Martin Esq; John Champneys Esq; William Fry, Robert Roll Esqs; Wil- iam Yeo of Plimouth, William Bastard Esq;.

## Dorset and Pool.

For the Countie of Dorset and Pool, Sir Anthony-Ashley Co- oper Baronet, William Sydenham Esq; Sir Walter Earl Knight, John Bingham, Dennis Bond, John Trenchard, Henry Henley, John White- way, Thomas Moor, John Bullirod, Walter Foy Esqs; Edward But- ler, James Dewy, Edward Chick, John Lea, Jeremy Potheary, George Skutt, William Thornhul, James Mew. Gent.

## York East-Riding, and Kingston upon Hull.

Thomas Lord Fairfax, John Lambert Major, General of the Army, Walter Strickland Esq; Sir Thomas Widdrington Knight, one of the Lords Commissioners of the Great Seal; Sir William Constable Baronet, Sir William Strickland, John Lawfon Esq; M<sup>r</sup>. Seilling- ton, M<sup>r</sup>. Brian Dawson, Captain Bradford, Richard Darley Esq; M<sup>r</sup>. William Coulson, Thomas Hudson and James Nelthrop, Aldermen of Beverley, Thomas Ness, Robert Leppington, Edward Atkinson, Timothy Lun, Hugh Bethel Esq;.

## West-Riding and City of York.

Thomas Lord Fairfax, John Lambert Major, General of the Army, Sir Thomas Widdrington Knight, one of the Lords Commissioners of the great Seal, Colonel John Bright, Alderman Thomas Dickenson, Alderman Stephen Warson, Alderman Geldard, Colonel Charles Fairfax, Captain Henry Westby, M<sup>r</sup>. John Penrose, M<sup>r</sup>. Washington, M<sup>r</sup>. John

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Mr. John Wadsworth, Mr. John Iscot, Mr. Marmaduke Rivers, Mr. John Vincent of Warnsworth, Mr. Ashton of Arnoldsbiggon, Mr. Stanhop, Mr. Dineley, William Farror of Ewood, William Ingleby of Ripley, Alexander Johnson, Mr. William Drake, Captain George Byard, Thomas Bouchier, Robert Smith, Jeremy Dickson.

## North-Riding.

North-Riding; Thomas Lord Fairfax, John Lambert Esq. General of the Army, Sir Thomas Widdrington Knight, one of the Lords Commissioners of the Seal, Sir John Bouchier, Thomas Wastall Esq. Francis Lassels Esquire, George Lord Eure, William Aschough, Captain Nicolas Conyer, Captain Thomas Davill, Mr. Thomas Harrison.

## Essex.

For the County of Essex; Dudley Templer Esq. Dionysius Wakering Esq. Robert Crane Gent. John Fenning Gent. Sir Thomas Honeywood, Sir William Masham, William Masham Esq. Henry Mildmay of Chaces, Oliver Raymond, Gobert Barrington, Thomas Cook of Pedmarsh, Carey Mildmay, Richard Herlackendon, Arthur Barnadiston, Robert Maidston, John Brewster, John Meade, Hezekiah Haines Esquires, Joachim Matthews Esquire, Henry Barrington Esq. Herbert Pelham Esquire.

## Glocester.

For the County of Glocester, and for the City and County of the City of Glocester; Nathanael Stephens, Adrian Scroop, Thomas Hodges, John Stevens, John Dorney, Giles Hancock, Jasper Clutterbuck Esq. Sylvanus Wood Gent. John Waade, John Crofts, Thomas Purey Esq. William Webley, Anthony Kingscot Esquire.

## Hereford.

For the County of Hereford; Sir Robert Harley, Edward Harley, John James, John Scudamore of Kenchurch, Thomas Rawlins, Wroth Rogers, John Hacker, John Pateshall of Puddleston, Sylvanus Taylor Esquires, Thomas Eaton Gent. John Ashton of Ludlow in Shropshire Gent. Priamus Davies Esq. John Chelmeld Gent. Thomas Blaney Gent. Richard Reed Gent. William Botterell Esq. Thomas Seabourne, William Lane, Francis Pember Gent.

## Hertford.

For the County of Hertford; Henry Lawrence Lord President of His Highnesss Council, Sir John Witttronge, John Fiennes, John Marsh, Francis White Esqs. Isaac Ballet Esquire, William Turner of Hertford, Alban Cox, Mr. Combes the younger of Hemsted, Colonel Washington, Thomas Nicholl, William Leman Esquire, Ralph Gladman Gent. William Packer Esq. William Hickman Gent.

Ken

## Kent.

For the County of Kent; Philip Lord Viscount Lisle, Henry Ogden of Dean Esq; Thomas Foach of the Isle of Thanet Esq; Thomas Kelley Esq; Peter Peek, Thomas St Nicolas of Ash Esqs; John Boys of Beishanger Esq; Thomas Wilson of Sandwich Gent. William Cullen of Dover Esq; John Dixwell, Thomas Scot of Canterbury Esqs; Thomas Munnings, Robert Maskall of Canterbury, Edward Ower Gent. Whittington Wood of Canterbury Esq; James Seest of Tenterdeane, Robert Gibon, Richard Beale, Lambert Godfrey Esqs; Sir Thomas Stiles Knight and Baronet, Charles Bowles of Rochester Esq; Mr. Kennet of Lye, Mr. Lancatton of Rumney, Ralph Wellden Esquire.

## Lancaster.

For the County of Lancaster; Sir Richard Houghton, Gilbert Ireland Esq; Thomas Eell, Thomas Birch, William Alhurst, Richard Haworth, Edward Robinson Esqs; William West Gent. Jerijah Aspinwall, Randall Sharpleffe, George Piggot, John Sawrey Gent. Charles Worsley Esquire, John Wiggan Esquire.

## Leicester.

For the Counties of Leicester and Rutland; Henry Lord Cromwell, Sir Arthur Hesilrige Baronet, Francis Hacker Esq; Peter Temple Esq; Mr. John Prat, Mr. John Godman, William Hubbard Gent. Mr. William Stanley, Mr. Edmund Craddock Aldermen of Leicester, Mr. Samuel Wanley the elder, Mr. Anthony Major of Leicester, Mr. John Horton, Thomas Cockran Gent. Palmer, Henry Smith, Edward Smith Esq; Evers Ermyne Esq; Robert Horsman Esquire, Edward Horsman Esquire, William Shield Esquire, Benjamin Norton, John Weaver Esquires.

## Lincoln.

For the County of Lincoln; Nathanael Fiennes Esquire, William Savile of Newton Esquire, Edward Roslter, Thomas Coppledick of Harrington Esquire, John Archer Esquire, Nehemiah Rawson of Bickwood Esquire, Robert Yearborough Esquire, master Wilsby of Spaulding, Philip Mounton Esquire, Humphrey Walcott of Lincoln Esquire, master Thomson of Roxby, Theophilus Hart Gent. Thomas Hall of Dunnington Esq; John Disney Gent. master Harvey of Lincoln, master Marshall of Lincoln, William Berry of Grantham Esquire, master Matthias Brown of Horbling, master Thomas Law, master Whyteing, master Tilsen junior, Aldermen of Boston, James Berry, Francis Clinton alias Fiennes Esquire, master Cole of Stamford, Samuel Cust of Boston.



## Middlesex.

For the County of Middlesex and City of Westminster, Sir Gilbert Pickering Baronet, Philip Skippon Esq; Sir James Harrington Knight and Baronet, Sir William Roberts Knight, Edmond Harvey Esq; Edward Whaley, William Goffe Esq; John Humphreys, Richard Downton, Daniel Proctor, Paul Wittoll, Walter Bigg, John Brown, William Bosvile, John Baldwyn, Maurice Thomson, John Stone, Francis Bloomer Esquires, John Barkstead Lieutenant of the Tower, Edward Cresser, Justinian Paget, John Downier, Henry Scobell Esq; George Evelyn Gent.

## London.

For the City of London; Sir Thomas Vyner Knight Lord Mayor, Philip Skippon Mayor General, Isaac Pennington, Thomas Andrews, Robert Tichburne, Tempest Milner Aldermen of London, William Steele Serjeant at Law Recorder, John Sadler Esq; Maurice Gethings, Thomas Staines, Dr. A. Hurth, John Strange, Dr. Barret, John Langley, John Stone Esq; Alderman Pack, Alderman Riccot, Stephen Eanwick Alderman, Abraham Babington, William Hobson, Charles Doyley, William Puckle of Broadstreet, William Thomson Alderman, Francis Warren of New-Fishstreet-hill, Mark Coe, Richard Lloid, Maurice Thomson.

## Monmouth.

For the County of Monmouth; Richard Lord Cromwell, Philip Lord Wille. Little, Philip Jones Esq; Henry Herbert, William Blethyn, John Nicolas, Francis Blethyn, Roger Williams, Edward Herbert, Christopher Catchmay, Robert Jones, Rice Williams, William Packer, Samuel Jones, John Morgan, Thomas Evans Esquires.

## Norfolk.

For the County of Norfolk; Henry Lawrence Lord President of His Highnesss Council, Philip Skippon Esquire, Hezekiah Haynes, Charles-George Cock Esq; Sir John Hobbart Knight, and Baronet, Sir Thomas Hogan, Robert Wood, Edward Ward, Tobias Fryer, Henry King, Edward Bulwer of Heyden, John Reynes, Ralph Woolmer, Roger Harper, John Green and Thomas Scot of Lyn, Thomas Barret, Nicolas Saulter of Norwich, Isaac Preston of Yarmouth, Dr. Dunn, Dr. Thomas Garret, Thomas Russell of North-Basham Esq; Edmond Creamar of Snettisham Esquire, Martin Hastings of Hindringham Esq; John Toft of Norwich.

## Northampton.

For the County of Northampton; Sir Gilbert Pickering Baronet, Sir John Dreydon Baronet, John Crew of Sene Esq; John Thornton, Edward Farmer of Daventrey, Peter Whaley of Northampton, Thomas Brooks of Great Oakley Esq; John Cleypool of Narborough

borough *Esq*; Thomas Pentlow of Wilby, William Boteler of Own-  
dle, Alexander Blake of Peterburgh, John Brown of Kettering, Robert  
Guy of Isham, John Woodford of Northampton, *Rushworth*  
of Northampton, *M<sup>r</sup>*. Grindon of Blacheley.

### Oxon.

For the County of Oxon; William Lord Say and Seale, Natha-  
niel Fiennes *Esq*, *Sir* Charles Wolseley Baronet, John Fiennes, A-  
delian Scroop, Walter Elwood *Esqs*; *M<sup>r</sup>*. Berry of Oxford, Thomas  
Appletree, John Voe of Watlington *Gent*. *M<sup>r</sup>*. Beale of Banbury, To-  
bias Garbrand Doctor of *Physick*, John Carey of Dichley *Gent*. Wil-  
liam Whately of Banbury *Gent*. *M<sup>r</sup>*. George Blunt of Wiggington,  
*M<sup>r</sup>*. William Allen of Banbury, John Nixon Alderman of Oxford,  
Thomas Weekes, Matthew Martyn, *M<sup>r</sup>*. Francis Webb of Bodicoate,  
*M<sup>r</sup>*. Elisha Coles, Hunt *Gent*. John Goddard Doctor of  
*Physick*, Doctor Grosse of Magdalen College, *M<sup>r</sup>*. Stephens of Oxford.

### Salop.

For the County of Salop; Humphrey Mackworth *Esq*; John Cor-  
bet, Creswel Taylor, Robert Corbet, Thomas Mackworth, Thomas Ba-  
ker, Roger Evans, Launcelet Ley, Thomas Ketilby, Samuel Moore,  
Thomas Hunt, Rowland Hunt, Charles Langford, Edward Cresset,  
John Downs *Esqs*; Captain Richard Smith, John Ashton *Gentlem*.  
William Botterell *Gent*. Richard Cheshire Alderman of Shrewsbury  
Richard Henage *Gent*. Richard Piggot of Shrewsbury *Gent*.

### Stafford.

For the County of Stafford; *Sir* Charles Wolseley Baronet, John  
Swinfen *Junior*, Adthead, John Lee of Rushall, Henry Stone,  
William Bendy *Junior*, Thomas Bagnall *Esq*; William Turton *Gentl*.  
Zachary Babington, Thomas Sanders *Esq*; Thomas Whitgrave *Esq*;  
William *Gent* Gentleman, George Bello, John Chetwood *Esqs*; *M<sup>r</sup>*.  
Mott, *M<sup>r</sup>*. Myners, *M<sup>r</sup>*. Saxon, John Ley, Thomas Fox of Tamworth  
*Gent*. Alexander Wighewick *Esquire*.

### Somerset.

For the County of Somerset and City of Bristol; John Disbrow  
*Esq*; Robert Blake, Adrian Scroop *Esquires*, Alexander Popham *Es-  
quire*, *Sir* Thomas Wroth, *M<sup>r</sup>*. James Powell, Richard Aldworth,  
Robert Aldworth, Thomas Gorges, John Gorges *Esquires*, John  
Buckland, Richard Jones, Thomas Syderlin *Esquires*, *Sir* John Hor-  
ner, Henry Henley, Robert Hunt, John Carey of Castle-Cary, Doctor  
Palmer, John Preston, Roger Hill of Pounsford *Esquires*, George  
Milward of Shepton Mallet *Gent*. Henry Bonner, Thomas Hipsley,  
John Hagget *Esquires*, Luke Hodges, John Harrington, John Sealy  
of Bridgewater.

## Southampton.

For the County of Southampton, and the Town and County of Southampton; Richard Lord Cromwell, William Sydenham, Richard Major Esq; John Lisle one of the Lords Commissioners of the Great Seal, Richard Norton, Richard Whithead, John Buckley Esq; Nathanael Whetham Governour of Portsmouth, Sir John Dingley Knight, William Bowerman, Thomas Bowerman, Francis River, Robert Goffe, John Hildesley, John Pieman Esquires, Richard Moor, Peter Legay, George Searle, Samuel Bull, Thomas Chase, Capt. Newman, John Greenowes, Mr. Horwood of the City of Winchester, John Waterman, Daniel Herlent.

## Suffolk.

For the County of Suffolk; James Hubland, Robert Brewster, Francis Brewster, Thomas Bacon, John Gurdon, William Gibbs Esq; Robert Gurdon, Joseph Brand Esq; Sir Thomas Barnadiston, Giles Barnadiston Esq; John Clerk of Bury St Edmunds, Francis Theobald Gentl. Nathanael Bacon, Francis Bacon Esq; Sammel Moody of Bury St Edmunds, Humphrey Moseley Esq; Barnaby Bowtel Esq; Henry Sampson of Framlington, Edward Barker of Aye, Mr. Woodal of Woodbridge.

## Surrey.

For the County of Surrey, Philip Lord Viscount Lisle, John Lambert, Major General of the Army, William Sydenham Esq; Sir Richard Onslow, Arthur Onslow Esq; Robert Titchburn, Alderman of London, Sir William Brereton, Francis Drake Esq; Sidrack Brice, John Blackwell, Robert Goodwin, John Corbet, George Thomson, Lewis Audley, William Molins, Walter St John, Francis Allen, Esq; John Blackwell junior, James Shirley, Abraham Babington, Tarlton, John Rushworth, Esquires.

## Suffex.

For the County of Suffex; Anthony Stapley Esq; John Stapley, Nathanael Studley, William Cawley the elder, Arthur Bettsworth, Anthony Shearly, Esq; John Poling, John Love, Gentl. William Polhill of Burrish, Mr. Gor, Herbert, Morley, John Fagg of Wiston, William Freeman of Cowfold, Richard Knowls of Waterfeild, Edward Cook of Fieldplace, William Hayes of Hawsted, Esq; John Holloway of North-Chappel, Edward Prat, Anthony Hilton, Richard Manning, Thomas Thorncomb, Thomas Ballard Gentl. Mr. Burdit, Mr. Bret, Mr. Russel, John Busbridge.

## Warwick.

For the County of Warwick; William Purefoy, Esq; Richard Lucy, Thomas Willoughby, Joseph Hawksworth, Esq; Walden Willington, Mr. John St Nicholas, John Hawford, Esq; Mr. Thomas Balfet,

Bafnet, Robert Beke Esq; William Thornton, Matthew Bridges, Esquires, M<sup>r</sup>. William Clift, George Wills, Gent. John Brook of Stratford upon Avon, Francis Smith of Cleyton Gent. Thomas Fish.

### Worcester.

For the County of Worcester; John Wilde Serjeant at Law, Sir Thomas Rous, Gervase Buck in the Colledge Esq; Nicholas Lechner of Hundley Esq; William Collyn of the Colledge, Gent. Francis Franck of Worcester Gent. Robert Scirrup of Worcester Gent. Henry Phillips of Worcester Gent. Nicholas Blick of Blamsgrove Gent. Thomas Young of Handley Gent. John Butler of Blamsgrove Gent. John Hayler of Bewdley Gent. John Bridges Esq; Edward Elvins Alderman of Worcester, Thomas Foly, Barker, John Corbet, Pic of Keen, Henry Broad, Talbot Badger, Esqs; Thomas Martin Gent. Edmond Giles the younger, Thomas Roberts Gent. John James Esquire.

### Wils.

For the County of Wils; Sir Anthony Ashley Cooper Baronet, Thomas Grove Esq; George Cooper Esq; George Howe of Colebarwick Esq; William Coles of Downton, Gabriel Martin, Edward Mitchel of Chittern, William Sadler, William Shute Esqs; M<sup>r</sup>. William Blisset, M<sup>r</sup>. Humphrey Ditton & M<sup>r</sup>. Richard Phelps of Salisbury, M<sup>r</sup>. Thomas Hunt and M<sup>r</sup>. Thomas Baily of Marlborough, M<sup>r</sup>. William Temple of Bishoptrow, M<sup>r</sup>. Middlecot of Warminster, Sir John Evelin, Alexander Popham Esq; Alexander Thistlethwait, M<sup>r</sup>. James Hely, William Ludlow of Claringdon Esquires.

### Anglesey, Carnarvan, Montgomery, Denbigh, Merioneth and Flint.

For the Counties of Anglesey, Carnarvan, Montgomery, Denbigh, Merioneth, and Flint; Humphrey Mackworth Esq; Hugh Price, Evan Lloyd, Robert Griffiths, Richard Price, Thomas Lloyd, Lewis Price of the County of Montgomery Esqs; George Twissleton, John Carter, Thomas Ball, Garrald Barbar of the County of Denbigh Esqs; Ralph Weld Gent. John Kinaston Esq; Edward Thomas Gent. William Speed Gent. Samuel Swanwick Gent. John Jones Esq; of the same County, Thomas Dymock, Andrew Ellis, Luke Lloyd of the County of Flint Esqs; Thomas Mason Esq; Daniel Matthews Gent. John Madocks of Hamner Parish in the same County Gent.

### Pembroke, Cardigan, Glamorgan, Carmarthen, Brecon and Radnor.

For the Counties of Pembroke, Cardigan, Glamorgan, Carmarthen, Brecon and Radnor; The Lord Henry Cromwell, Philip Earl of Pembroke and Montgomery, Philip Lord Wilt. Lisle, Philip Jones Esquire, Bussey Mansel, Edward Thomas, Edward Prichard, John Price, Rowland Dawkins, Edward Stradling, John Nicholas Governor of Chepstow, John Herbert, John Galer, Evan Lewis, John



John Bowen, Henry Morgan, Robert Thomas, Jenkin Franklen, Rice Powell, John Daniel, *Sir* Erasmus Philips, *Sir* Hugh Owens, James Philips, Arthur Owen, Sampson Lort, Jenkin Lloid, James Lewis Esquire; John Lloid de Vairdreff, Richard Brewn, Hector Philips, Rowland Gethings, Abel Griffiths, Griffith Bowen, David Morgan, Edward Games, Sylvanus Taylor, *Esqs*; John Walfam, John Williams, John Dancy, William Jones, William Wackins, Thomas Watkins, David Morgan, *Gent*.

And the said Commissioners for the respective Countiees aforesaid, or any five or more of them, are hereby authorized and impowred to call before them or any five of them, any publique Preacher, Lecturer, or other persons formerly called Parsons, Vicars or Curats, settled, or which hereafter shall bee settled in any Benefice, commonly called, A Benefice with cure of Souls, or publick Lecture, having any stipend or salary legally annexed, or belonging thereunto; and all and every School-Masters, who are or shall be ignorant, scandalous, insufficient, or negligent in their several and respective places: And shall and may receive all Articles or Charges which shall be exhibited against them for ignorance, insufficiency, scandal in their lives and conversations, or negligence in their respective callings and places, and proceed to examination and determination of such offences, according to the Rules and Directions hereafter specified, viz. such Ministers and School-Masters shall be deemed and accounted scandalous in their Lives and Conversations, as shall be proved guilty of holding or maintaining such Blasphemous and Atheistical opinions as are punishable by an Act, entitled, An Act against several Atheistical Blasphemous and execrable opinions, derogatory to the Honor of God, and destructive to humane Society, or guilty of profane cursing or swearing; Perjury, subordination of Perjury: such as shall hold, teach, or maintain any of those Popish opinions, required in the Oath of Abjuration (mentioned in an Ordinance of Parliament of the 19. of August, 1643.) to be abjured, or be guilty of Adultery, Fornication, Drunkenness, common haunting of Taverns, or Ale-houses, frequent quarrelling or fighting, frequent playing at Cards or Dice, Profaning of the Sabbath day, and such as do or shall allow the same in their families, or countenance the same in their Parishioners or Scholars; such as have publicly and frequently read or used the Common prayer Book since the first of January last, or shall at any time hereafter do the same; such as do publicly and profanely scoff at, or revile the strict profession or Professors of Religion or Godliness, or do encourage and countenance by word or practise any Whitsun-Ales, Wakes, Morris-Dances, May-poles, Stage-plays, or such like licentious practises, by which men are encouraged in a loose and profane Conversation, such as have declared, or shall declare by writing, preaching, or otherwise publishing their dissaffection to the present Government; such Ministers shall be accounted negligent, as omit the publique Exercises of Preaching and Praying upon the Lords-day (not being hindered by necessary absence or infirmity of body) or that are or shall be non-Resident; such School-masters shall be accounted negligent as absent themselves from their Schools, and

and do willfully neglect their duties in teaching their Scholars.

And such Minister and School-master shall be accounted ignorant and insufficient, as shall be so declared and adjudged by the Commissioners in every County, or any five of them together, with any five or more of the Ministers hereafter nominated in this present Ordinance, to be assistant to the said Commissioners, viz.

### Bedford.

For the County of Bedford; Francis Wallis D<sup>y</sup> of Divinity, Dr. Linford of Sutton, M<sup>r</sup>. Thomas Alpine, M<sup>r</sup>. Isaac Bedford, M<sup>r</sup>. Howard of Hawns, M<sup>r</sup>. John Cole of Clophil, M<sup>r</sup>. Lawry of Bleco.

### Berks.

For the County of Berks; master Fowler of Redding, master Woodbridge of Newberry, master James Baron of Hendred, master Johnson of Lockin, master Hughs of Hinton, master Tide of Abington, master Stephens of Appleton, master Lee of Brightwell, master Baxeman of Ockingham.

### Bucks.

For the County of Bucks; M<sup>r</sup>. Ellis, M<sup>r</sup>. Butler, M<sup>r</sup>. Doffin, M<sup>r</sup>. Luff, M<sup>r</sup>. Perkins, M<sup>r</sup>. Gladman, M<sup>r</sup>. Bennet, M<sup>r</sup>. Berdy of Quainton, M<sup>r</sup>. Marriot.

### Cambridge and Huntington, with the Isle of Ely.

For the Counties of Cambridge and Huntington, with the Isle of Ely; M<sup>r</sup>. Samuel Bolton, Master of Christ College in Cambridge, M<sup>r</sup>. Lazarus Seaman, Master of Peter-house, M<sup>r</sup>. Robert West, M<sup>r</sup>. Coldwel of Wisblech, M<sup>r</sup>. Sheldrake of Levinston, M<sup>r</sup>. Warner of Balsam, M<sup>r</sup>. Jephcot of Sot ham, M<sup>r</sup>. John Nye of Cottenham, M<sup>r</sup>. Bradshaw of Willingham, M<sup>r</sup>. Hayes of Papworth, M<sup>r</sup>. Lee of Outwel, M<sup>r</sup>. Wells of St Ives, M<sup>r</sup>. lham of Hamperton, M<sup>r</sup>. Meryl of Kimbolton, M<sup>r</sup>. Vinter of Keyfton, M<sup>r</sup>. Williams of Pidley, M<sup>r</sup>. Taylor of Huntington, M<sup>r</sup>. Halsey of Hurst, M<sup>r</sup>. Wallis of Broughton, M<sup>r</sup>. Cooper of Elton, M<sup>r</sup>. Spencer minister of Shelton.

### Chester.

For the County of Chester; M<sup>r</sup>. Thomas Langley of Helsdretnam, M<sup>r</sup>. Samuel Langley, M<sup>r</sup>. Nathanael Lancaster of Taperley, M<sup>r</sup>. Samuel Eaton, M<sup>r</sup>. James Marbury, M<sup>r</sup>. William Manwaring, M<sup>r</sup>. Newcomb of Gawsworth, M<sup>r</sup>. Pemberton, M<sup>r</sup>. Peatree, M<sup>r</sup>. Gland of Chester, M<sup>r</sup>. Upson, master Sillito of Langhton.

### Cornwall.

For the County of Cornwall; M<sup>r</sup>. Jasper Hicks of Lanrake, M<sup>r</sup>. Tinkham of Truro, M<sup>r</sup>. Thomas Peters of Millor, M<sup>r</sup>. Caswel of

of S' Germans, Mr. Toms of S' Stephens, Mr. John Wills, Mr. Thomas Travers, Mr. Robert Jagoe, Mr. Wellsted of S' Ives, Mr. George Hughes of Plymouth, Mr. Delbridge, Mr. Mawl of Foy, Mr. Powell of Clements, Mr. Martin of Plymouth, Mr. Hancock.

### Cumberland, Durham, Northumberland, and Westmerland.

For the Counties of Cumberland, Durham, Northumberland, and Westmerland; Mr. Wells of Newcastle, Mr. Hamond of Newcastle, Mr. Prideaux of Newcastle, Mr. Theophilus Polwheele, Mr. Richard Gilpin, Mr. Mathias Simpson, Mr. Comfort Star, Mr. Roger Baldwin, Mr. Thomas Troyst, Mr. George Larkham, Mr. William Hepkins, Mr. Herris, Mr. Halsey, Mr. Lane, Mr. Laphorne, Mr. Truyn, Mr. Smith of Kirkby-Langdale, Mr. Walker of Kendal,

### Derby and Nottingham,

For the Counties of Derby and Nottingham; Mr. John Rowlinson Denio, Mr. Emanuel Barne, Mr. Joseph Swetnam, Mr. Walter Taylor, Mr. Peter Watkinson, Mr. Edmund Barton, Mr. John Baston, Mr. John Hieron, Mr. Thomas Bakewell, Mr. Thomas Shelmardine, Mr. Frith of Mansfield, Mr. Samuel Coats of Westbridgeford, Mr. Laurence Palmer of Gedling, Mr. Vere Harcourt of Plumtree, Mr. Cook of Sibthorp.

### Devon and City of Excester.

For the County of Devon and City of Excester; Mr. George Hughes of Plymouth, Mr. Ferdinando Nicols, Mr. Ford of Excester, Mr. Anthony Hartford, Mr. Sanders of Hollworthy, Mr. Bartlet of Excester, Mr. Yeo of Newton, Mr. Bartlet of Beddiford, Mr. Herring of Mafson, Mr. John Rowe, Mr. Jonathan Hanmore of Barnstable, Mr. Francis Sourton of Honyton, Mr. William Trevethick, Mr. Lewis Sickleley of Excester, Mr. John Chishull.

### Dorset and Pool.

For the County of Dorset and Pool; Mr. William Ben, Mr. Stanley Gowre, Mr. William Allen, Mr. John Hardy, Mr. Walter Buiges, Mr. John Trortle, Mr. John Eaton, Mr. Constance Jessop, Mr. John Loder, Mr. Thomas Chaplin, Mr. George Thorn, Mr. William Hulse, Mr. Jeremy Turner, Mr. Wain of Morecreechel.

York.

## York, and Kingston upon Hull.

For the East-Riding of the County of York and Kingston upon Hull; Mr. Luddington of Cowfolds, Mr. Aty of Agnes-Burton, Mr. William Hyde of Wighton, Mr. Peter Clerk, Mr. Robert Johnson, Mr. Micklethwait, Mr. Hame of Flamborough, Mr. Fowler of Thwing, Mr. Garthwait of Carnaby, Mr. Crozer of Bridlington.

## York City.

For the West-Riding and City of York; Mr. Fisher of Sheafeld, Mr. Boles of York, Mr. Morehouse of Castleford, Mr. Smalwood, Mr. Marshall of Wood-Church, Mr. Roots of Hallifax, Mr. Herring of York, Mr. William Stiles of Leeds, Mr. Calvert.

For the North-Riding; Mr. Philip Nesbet, Mr. Mannors, Mr. Dove of Appleton, Mr. Peter Clerk, Mr. Calvert, Mr. Boles, Mr. Herring.

## Essex.

For the Countie of Essex; Mr. Stalham of Tarsling, Mr. Willis of Ingerston, Mr. Sams of Cogshall, Mr. Sparrow of Halsted, Mr. Glover of Finchingfield, Mr. Peck of Prittlewell, Mr. Warren of Hatfield-Broad oak, Mr. Martin Holbeck of Felstead, Mr. Matthew Newcomen of Dedham.

## Glocester.

For the County of Glocester, and County of the City of Glocester; Mr. Alexander Gregory of Cirencester, Mr. Giles Wortman, Mr. William New of Ellington, Mr. Anthony Palmer of Borton of the Water, Mr. Helm of Winchcomb, Mr. William Tray of Odington, Mr. William Beal of Stow of the Wouds, Mr. William Fowler of Walsterley.

## Hereford.

For the County of Hereford; Mr. Woodriff, Mr. Low, Mr. Boyer, Mr. Briton, Mr. Primrose, Mr. Woodward of Rickard Castle, Mr. John Beal, Mr. Smith, Mr. Voyle.

## Hertford.

For the County of Hertford; Mr. Philip Goodwyn, Mr. John Warren, Mr. John Lightfoot of Munden-magna, Mr. Samuel Tomlin, Mr. Thomas Mocket, Mr. Thomas Halfeter, Mr. John Young, Mr. Isaac Bedford, Mr. Nathanael Eccles, Mr. Tatty, Mr. Slater, Mr. John Pointer, Mr. Daniel Dyke, Mr. Lee of Hatfield.



**Kent.**

For the County of Kent; Mr. John Davis of Dover, Mr. Player, Mr. Taylor and master Durant of Canterbury, Mr. French of Stroud, Mr. Sreed, Mr. Samuel Selliard, Mr. Crump, Mr. Bright, Mr. John Swan.

**Lancaster.**

For the County of Lancaster; Mr. Herl, Mr. Hollinworth, Mr. Anger, Mr. Herrick, Mr. Latham, Mr. Thomas Johnson, Mr. Ambrose, Mr. Harrison, Mr. Gee, Mr. Michael Briscoe.

**Leicester and Rutland.**

For the Counties of Leicester and Rutland; Mr. Simon Peck, Mr. Thomas Doughtey, Mr. Thomas Laurey, Mr. Richard Pyke, Mr. Pitt, Mr. Henry Peirce, Mr. John Yaxley, Mr. Nicolas Kestyn, Mr. William Sheffield, Mr. Samuel Blackerby, Mr. Maurice Boheme, Mr. Barry of Costmore, Mr. Beachamp of Seaton, Mr. Rowell of Little-Catterton, Mr. Johnson of Timwel, Mr. Levit of Althwel, Mr. King of Okham, Mr. Wells of Baracka.

**Lincoln.**

For the County of Lincoln; Mr. Edward Reyner, Mr. Scottreth of Lincoln, Mr. Anderson, Mr. Nayler of Boston, Mr. Male of Falkingham, Mr. Ram of Spaulding, Mr. Reynfold of Heyting, Mr. Finch of Bellow, Mr. Hanserd Knollis, Mr. Moreton of Billingsborn, and Hibling, Mr. Law of Wiberton, Mr. Angel of Grantham, Mr. Whiting, Mr. Northan of Harlaxton, Mr. Beck of Rippinghal, Mr. Brown of Stamford, Mr. William How of Gedney.

**Middlesex, and City of Westminster.**

For the County of Middlesex and the City of Westminster, Mr. Robert Malthus, Mr. Perkins, Mr. Symmer of Cheswick, Mr. Isaac Knight, Mr. Thomas Gilbert, Mr. Willis, Mr. Rolls of Thistleworth, Mr. Price of Seafus, Mr. Kentish of Kattern, Mr. Williams of Wappin, Mr. Spurlow of Hackney, Mr. John Bond, master of the Savoy, Mr. Sangar, Mr. Philip Ny, Mr. Obadiah Sedgwick, Mr. Bates of Dunstons in the West.

**London.**

For the City of London; Lazarus Seaman, Dr. of Divinity, Dr. Drake, Mr. Samuel Clerk, Mr. Matthew Barber, Mr. Gouge of Sepulchres, Mr. Abraham Molin, Mr. Richard Vines, Mr. Griffith of the Charter-hall, Mr. Jacomb, Mr. Sheffield, Mr. Rutton, Mr. Bragg, Mr. Arthur Jackson, Mr. John Bond, Mr. Sangar, Mr. Philip Ny, Mr. Obadiah Sedgwick, Mr. Joseph Caryl, Mr. Cooper.

**Monmouth.**

**Monmouth.**

For the County of Monmouth; Mr. Walter Craddock, Mr. Henry Walter, Mr. George Robinson, Mr. Roger Charnock, Mr. Francis Syms, Mr. George White, Mr. Thomas Barns, Mr. Abbatts.

**Norfolk.**

For the County of Norfolk; Mr. William Bridges, Mr. John Brinsley of Yarmouth, Mr. John Martin of Edgfield, Mr. John Money of Wymandham, Mr. Timothy Armitage of Norwich, Mr. Charles Franck of Thetford, Mr. Nathanael Brewster of Alby, Mr. Edmund Broom of Southrep, Mr. Breviter, Mr. Samuel Smith of Siffert, Mr. Richard Wells of Takenham, Mr. Harmer of Saxingham, Mr. Israel Shipden of Swafham, Mr. Thomas Thorowgood, Mr. Johnson of Lynn, Mr. Edward Corbet, Mr. Collings of Norwich, Mr. Peck of Hingham, Mr. Hogan of Lyn, Mr. John Newton of Great Dunham, Mr. William Hall of Heveringham.

**Northampton.**

For the Countie of Northampton; Mr. Gyfford of Gayton, Mr. Daniel Rogers of Wotten, Mr. Ball of Northampton, Mr. Pearn of Wilby, Mr. Floid of Woodford, Mr. Resbury of Oundle, Mr. Cawthorn, Mr. Wilfon of Peterburgh, Mr. William Hodges of Tichmarsh, Mr. Stephen Fowler of Creek, Mr. Timothy Dod.

**Oxen.**

For the County of Oxen; John Owen, Thomas Goodwin, Doctors of Divinity, Mr. Thankful Owen, Mr. Samuel Wells, Minister of Banbury, Mr. John Taylor, Minister of Broughton, Christopher Rogers, Doctors of Divinity, Mr. Ambrose Upton, Mr. Peter French, Prebends of Christ Church, Doctors Wilkinson of Christ Church, Mr. Stanton, Warden of Corpus Christi, Mr. Robert Harris, Master of Trinity College, Mr. Ralph Button, Mr. Brice of Henley, Mr. Owen of Remnam, Mr. Francis Howel, Mr. Henry Cornish.

**Salop.**

For the County of Salop; Mr. Thomas Pager, Mr. Francis Talents, Mr. Heath, Mr. James Smith, Mr. Samuel Smith, Mr. Thomas Gilbert, Mr. Francis Boughey, Mr. Thomas Porter, Mr. Samuel Hilderham, Mr. Andrew Pairsons, Mr. Samuel Campion, Mr. Rowland Nevet, Mr. Samuel Bartlet, Mr. George Bartlet, Mr. John Sadler, Mr. Frayfel, Mr. Bryan, Mr. Wright of Preston in the Wilmores, Mr. Francis Wright, Mr. George Lawson of the Moor.

**Stafford.**

For the Countie of Stafford; Mr. Burdel Minister of Walshal, Mr. Burges Minister of Sutton Colfield in Warwickshire, Mr. Butler Minister of Leichfield, Mr. Blake Minister of Tamworth, Mr. John Green-smith Minister of Colwich, Mr. Machyn, Mr. Cleyton Minister of Wolverhampton, Mr. Sharp Minister of Burton, Mr. Sound of Newcastle under Line, Mr. Not of Sheriff-hales, Mr. Taylor.

**Somerset.**

For the County of Somerset and City of Bristol, Mr. George Newton

Newton of Taunton, Mr. John Moor of Aller, Mr. John Bennet of Southpetherton, Mr. William Thomas of Ubley, Mr. Francis Roberts of Wrington, Mr. Richard Fairclough of Mells, Mr. Richard Allen of Dicher, Mr. Richard Allen of Batcomb, Mr. Thomas Lee of Chard, Mr. William Ball, Mr. Elford of Westmington, Mr. Stubs of Wells, Mr. John Devenish of Westonzoyland, Mr. Parker of Bruton, Mr. Bat of Creech, Mr. Cross of Chew, Mr. Ralph Farmer, Mr. Knowls, Mr. Haffard.

### Southampton.

For the County of Southampton, and Town and County of Southampton, Mr. Whitfield, Mr. James Terry, Mr. Henry Bartlet, Mr. Symonds of Southwick, Mr. Awdley of Clanfield, Mr. Cox of Bishopt-hoak, Mr. Robert Webb, Mr. Merriet of Cliveden, Mr. Downs, Mr. Nathaniel Robinson, Mr. Robert Dingley, Mr. Edward Buckler, Mr. John Martin, Mr. Robert Tachyn, Mr. Barnes, Mr. Sparks, Mr. Langley of Titherly.

### Suffolk.

For the County of Suffolk, Mr. Phillips of Wrentham, Mr. Marshall of Ipswich, Mr. Ward of Ipswich, Mr. Hudson of Capel, Mr. Mot of Stoke next Neyland, Mr. Brunning of Seymore, Mr. Gurnall of Lavenham, Mr. Faircloth of Ketton, Mr. Gibbons of Bury, Mr. Burrel, Mr. Cook of Clempsford.

### Surry.

For the County of Surry, Mr. Richard Bisheld, Mr. Rayner of Eggham, Mr. George Farrold, Mr. Gery, Mr. John Arthur of Clapham, Mr. Temple of Battersea, Mr. Parks of Morelack, Mr. Roberts, Mr. Wright of Charlwood, Mr. Noel of Ockley, Mr. Brisco, Mr. Plot, Mr. Peter Sterry.

### Sussex.

For the County of Sussex, Deane; Cheneel of Petworth, Mr. Anthony Hilton of Billingsworth, Mr. William Speed, Mr. Cosley of Arundel, Mr. Pickering, Mr. Maynard of Mayfield, Mr. Vinter, Mr. Hawksworth, Mr. Smith, Mr. Stafford, Mr. Chatfield of Horsham, Mr. Simons, Mr. Osborn, Mr. Corbet of Chichester, Mr. Dottrand.

### Warwick.

For the County of Warwick, Mr. Bryon, Mr. Grew of Coventry, Mr. Wills of Brumingham, Mr. Burges of Sutton Coldfield, Mr. Blake of Tamworth, Mr. Walden, Mr. John Trap, Mr. Alexander Bean, Mr. Dooley of Alvechon, Mr. Butler and Mr. Richard Venner of Warwick.

### Worcester.

For the County of Worcester, Mr. Richard Baxter of Kidderminster, Mr. Benjamin Baxter of Upton, Mr. Giles Collyer of Blockley, Mr. Hopkin of Evelham, Mr. Bramage of Kemsey.

Wilts.

## Wilts.

For the County of Wilts, Dr. Chambers, Dr. Chaldcott, Dr. Adonyram Byfield of Collingborn, Dr. John Scrickland, Dr. William Ayres of Salisbury, Dr. Profr, Dr. Hughes of Malborough, Dr. Hulton of Westbury, Dr. Peter Inch of Dinhead, Dr. Hounfel of Chilton, Dr. William Clifford of East-Knoyl, Dr. John Priault of Fovant.

Anglesey, Carnarvan, Montgomery, Denbigh,  
Merioneth and Flint.

For the Counties of Anglesey, Carnarvan, Montgomery, Denbigh, Merioneth, and Flint; Dr. Ambrose Mostin, Dr. Morgan Lloid, Dr. Edward Boles of Harding, Dr. Steel of Hammer, Dr. Robert Fog, Dr. Orlando Fog, Dr. John Ellis, Dr. William Jones, Dr. Ellis Rowlands, Dr. Matthew Jenkin, Dr. Jonathan Roberts, Dr. Stephen Lewis, Dr. James Quarrel, Dr. Rowland Nevet of Oswestree in the County of Salop, Dr. Samuel Barklay of Clungunils, Dr. George Lawfon of Moor in the County of Salop.

Pembroke, Cardigan, Glamorgan, Carmarthen,  
Brecon and Radnor.

For the Counties of Pembroke, Cardigan, Glamorgan, Carmarthen, Brecon and Radnor; Dr. Walter Cradock, Dr. Bedwell, Dr. Ellis, Dr. Miles, Mr. Griffiths, Mr. Nichols, Mr. Samuel Jones, Mr. David Davies, Mr. Miller, Mr. French, Mr. Higgs, Mr. Love, Mr. Phillips, Mr. Charles Price, Mr. Powel of St. Lychana, Mr. Larver, Mr. Davies, Mr. Warren Mr. Jenkin Jones, Mr. Swain, Mr. Richard Powel, Mr. Abbot of Abergeny, Mr. White of the county of Monmouth, Mr. Lucas of Prestign.

And the Commissioners in this present Ordinance authorized, shall and may grant out Warrants under the hands and Seals of them the respective Commissioners, or any five of them, to be directed unto the person faulty as aforesaid, or against whom such Articles, Charge or Information shall be prepared or exhibited requiring his appearance before the said Commissioners, or any five of them, at a certain day and place in the said Warrant mentioned, to answer the said charge or Articles respectively. And after notice of the said Warrant personally given to the party so condemned or articles against, or left at his dwelling place, or ordinary place of abode, and that notice proven by Oath to have been made, or given by the space of five daies before the day of appearance in the said Warrant mentioned (no just cause being shewed and proven to excuse the not appearing) And likewise after answer made by such as shall appear upon Summons, or default of appearance, or answer after such Summons, proven as aforesaid. Then the said Commissioners, or any five of them, are hereby enabled and authorized to proceed to examination of Witnesses upon Oath (if the case so require)



Require, as well for, and on the behalf of the person accused or articulated against, for making good his answer, as for proof of the said Charge, Articles or Information; which oaths the said Commissioners for the respective Counties aforesaid, or any five of them, are hereby authorized to administer. And after due examination and confession of the party, or proof made by the Oath of two credible Witnesses, or of one Witness with other concurrent evidence of the Charge, Articles, or Crime objected against him, according to any the particulars before expressed, to eject and displace all and every such person and persons from such his and their respective Cures, Benefices, Places and Charges as the said Commissioners, or any five or more of them, upon such hearing, shall adjudge to be guilty of any the Crimes aforesaid; and shall enter their said Judgements into a Book fairly written, and to be kept for that purpose; and to sequester as well the Houses, Glebe, Stipend, and all other profits, and fruits belonging to such Churches, Chappels, Schools, or Lectures, whereof they are then possessed (allowing such convenient time for his removal out of such house) as the said Commissioners, or any five or more of them shall think fit.

Provided alwaies, And it is further Ordained by the Authority aforesaid, That before the said several and respective Commissioners shall sequester or eject any Minister or School-master for ignorance or insufficiency, such Ministers or School-masters, accused or questioned for ignorance or insufficiency shall be examined by the said Commissioners, or any five or more of them, together with the Ministers before named for the respective Counties, or any five or more of them, and if upon such examination or proof made upon Oath, it shall appear and be so declared under the hands of the said Commissioners and Ministers who shall be present at such examination and proof, or any ten or more of them, whereof five at least to be of the said Ministers, that such Minister or School-master is ignorant or insufficient, Then the said Minister or School-master shall be taken and deemed to be ignorant or insufficient, and shall for the time by the said Commissioners in this present Ordinance authorized, be sequestered and ejected out of such Benefice, Lecture, or School, and the said Judgement entered into their Register-book and the reasons of such their Judgement.

And be it further Ordained by the Authority aforesaid, That in all cases where any Minister or Lecturer hath been formerly ejected or sequestered, and is yet living and none placed before the thirtieth day of August, One thousand six hundred fifty and four, in his room, or shall be ejected or sequestered by virtue of this present Ordinance, it shall and may be lawfull from time to time, to and for any person or persons, having the lawfull right of Patronage, Election, or Nomination at any time within four moneths from the eight and twentieth day of August, in case of such as are or shall be ejected or sequestered before that time, and within four moneths after such ejection or sequestration by force of this Ordinance, to nominate unto the Commissioners appointed by Ordinance for approbation of publick Preachers, a fit and able person in the place and room of such Preacher or Lecturer so displaced, who upon such approbation

probation by the said last mentioned Commissioners, as in the said Ordinance is directed, shall and may have, hold, enjoy and receive all and every the Houses, Glebe, Tithes, and other Profits and Fruits belonging to such Place, during the natural life of such person so nominated and approved, unless he shall be afterwards removed by the Commissioners authorized by this Ordinance, for any the Causes before mentioned, in as full and ample manner as such person so displaced might have received or enjoyed the same. And for that purpose, in case of the death or resignation of such person so ejected or sequestered, the Commissioners for approbation of publick Preachers, shall and are hereby authorized, upon such Nomination as is before mentioned, without any further presentation, and upon such approbation as aforesaid, to grant unto such person admittance unto such Benefice or Rectore, by an Instrument in writing, as in other cases of Presentation they are enabled to do, and in default of such Nomination within the respective times aforesaid, the Presentation for that turn shall be void, in lapse unto the Lord Protector, and his Successors.

Provided nevertheless, That in case the said Commissioners shall finde that such Minister so displaced hath no other temporal estate sufficient to maintain his Wife and Children (if he have any) and in case such Minister so displaced shall, by the time limited by the said Commissioners, leave the quiet and peaceable possession of the Houses, Glebe, or any other Lands belonging to such place, and remove his habitation out of such Parish where the Church or Chappel from whence he was so ejected, is situate, That then the said Commissioners, or any five of them shall allow unto the Wife and Children of such Minister so ejected or displaced, for their maintenance, a proportion not exceeding the first part of the profits of such Benefice with Cure (all Parish charges, publick Taxes and other duties being first deducted out of the whole) which the said Commissioners are hereby authorized to cause to be paid unto such Wife and Children accordingly, and in default of conformity unto their order therein, from time to time to sequester the profits of such Benefice for the payment thereof, and all Charges in and about the same, during the life of such Minister so ejected. And the said Commissioners, or any five or more of them, are hereby also empowered and authorized to place some fit and able person in such School in the place and room of him so displaced, or in the place and room of any other School-master formerly by any Authority of Parliament ejected, sequestered, or displaced, and so may continue to do during the life of such sequestered or ejected School-master, as often as the said School shall be void, which person so to be placed shall and is hereby enabled to have, hold and enjoy all Houses, Lands, or other Benefice belonging unto any such School, as fully as the person so displaced ought to have done.

And be it further Ordained by the Authority aforesaid, That all Ministers or School-masters nominated, presented, placed or settled by virtue of, or according to the true meaning of this present Ordinance shall have the like Wife to, and Interest in, all the profits, dues and perquisites, belonging and appertaining to the said Parsonage,

Parsonage, Vicaridge, Ecclesiastical promotion of School, and Hall and may enjoy, have and make use of the same remedy in Law or Equity for recovery thereof in case of subtraction, dispossession, trespass, or any other injury, as any former incumbent, Lecturer, or School-master, presented, elected, inducted or settled in such Church, place or School had or enjoyed, or might have had, enjoyed, received or used. And all Judges and Justices of Peace are to take notice of this present Ordinance and to allow the same to be pleaded and given in evidence, and shall award and give Judgements and Executions for such Ministers, Lecturers and School-masters placed and settled by virtue of this Ordinance, as their case in Law requires. And if any such Minister, Lecturers or School-master nominated or recommended in the room of such ejected Minister, Lecturer or School-master, and approved as aforesaid, cannot quietly obtain the possession of such Church, Chappell or School, or the dwelling Houses therunto belonging, but shall finde resistance therein, or shall at any time be opposed or disturbed in the Exercise of their Ministry or calling in the said Churches, Chappels or Schools by the said ejected Ministers or School-masters, or by their means or procurement, or by any other person whatsoever; That in such Cases the said Commissioners respectively authorized by this present Ordinance, or any five or more of them shall and may upon complaint to them made, make such Orders under their hands and seals to the High Sheriff, or any one or more Justice or Justices of Peace of the said County, as they shall think meet, who are hereby authorized and required to execute the same for settling the said Ministers, Lecturers, or School-masters, so nominated, appointed and approved as aforesaid, in possession of the said Churches, Chappels and Schools to which they were recommended, and for removing of all force, and preventing all disturbance and opposition, and for the binding over the Rioters, breakers of the Peace, and disturbers thereof to the next Assizes, or quarter Sessions of the said County, or for committing them to prison, as the case shall require. And all Sheriffs, Justices of the Peace, Constables, Church-Wardens, and other Officers and Ministers of Justice whatsoever are hereby required to be aiding and assisting to the said Commissioners within their several limits, precincts and Jurisdictions in all things touching the premises.

And it is further Ordained by the Authority aforesaid, That the said several and respective Commissioners, in this present Ordinance authorized, shall and may take a view of all the Benefices with Cure, publick Lectures and Schools within their several and respective Counties, and of the Ministers and School-masters therein placed, and where they finde any Ministers unapproved by the Commissioners authorized to approve of publick Preachers, who ought to have ben approved by them, to certifie their names to the last mentioned Commissioners: And where they finde that any Minister or School-master, that hath ben formerly, or shall be sequestered or ejected, hath without authority intruded or shall intrude into the same Churches, Schools, or places from whence they were

Schools, or places from whence they were so sequestered and ejected, That then the said Commissioners cause such ejected or sequestered incumbent, Minister, or School-master, to be forthwith removed as aforesaid, and that in that, and all other cases of vacancy, either of any Benefice with Cure, Rectory or School within the said County, they do forthwith authorize some of the most honest and sufficient persons, in such parish where the said vacant Church or School is situated to receive and gather the profits, perquisites and dues belonging unto such Church or School, and that they manage, order and preserve the same for the best advantage and benefit of such School-master and Minister, as shall by virtue of this Ordinance, or by any other lawful Authority be afterwards settled and placed in the said Church or School, saving that all necessary Charges incident to the ejecting, sequestering or removing of the former Minister and School-master, and placing of another there, according to the meaning of this Ordinance, and the supplying of the said Churches and Schools, during the vacancy, with fit persons to teach and instruct both the people and Scholars, and repair of the buildings belonging to the said Schools, Parsonages, Vicarages or Curatships may be deducted out of the profits, and the residue fully and truly accounted for by such persons so authorized: unto whom all mentioned purpose it shall and may be lawful for the said Commissioners to appoint and pay a Register or Clerk to be made use of, and other Officers, and to allow such salaries, and to pay such incidental charges as they shall find requisite, the same salaries and charges being allowed and approved by the Trustees for maintenance of preaching Ministers and other pious uses, and shall issue out of the moneys which shall be so raised in vacancies as aforesaid, and to call to account not only all persons so by them authorized to gather and preserve the said Profits, Dues and Perquisites, but also all other persons that have received and taken any Profits, Dues and Perquisites belonging unto any Church or Chappel, out of which any Minister hath heretofore been ejected or sequestered during the vacancy thereof, and in case of refusal to account or to deliver the surpluses after the allowances and deductions made, which by this Ordinance are appointed them to cause such persons to be committed until they account, and duly render and deliver such surpluses according to the true meaning of this Ordinance.

And further it is Ordained by the Authority aforesaid, That all such Ministers and School-masters as have been or shall be placed by any Authority of Parliament, or of this present Ordinance, shall constantly and from time to time keep all the Houses, and Buildings belonging unto the Parsonages, Vicarages, Curatships, Rectories and Schools wherein they have been or shall be placed as aforesaid, and the Chancels and Church-pews, usually and of right by their Predecessors repaired in such good and sufficient repair as the same buildings were at the time of their being settled and placed therein; And in default thereof, upon Complaint made thereof by the Church-wardens, or any other Inhabitant of such Parish, where such neglect of reparations shall happen, unto



the Justices of the Peace at their General Quarter Sessions, or to any three of them out of the Sessions, the said Justices of the Peace are hereby impowred to send for such Minister or School-master before them, and to examine all such defects of repair upon Oath, and after proof made thereof, and of the Charge that the making of such reparations must necessarily require, to set down such Order for making the said reparations as the said Justices shall adjudge to be reasonable and just; And if such Order, as shall be so declared and made, after notice thereof given to such Minister or School-master, be not by them observed and performed, That then it shall and may be lawful for the said Justices of Peace, by warrant to be issued under their Hands and Seals, to cause to be levied so much as by the said Justices of Peace shall be Ordered and Adjudged as a requisite and necessary sum of money to defray the Charges of such reparations, by distress and sale of the Goods and Chattels of such Minister or School-master, who ought to have made the same reparations as aforesaid, rendring the overplus back to the owner thereof.

And be it further Ordained by the Authority aforesaid, That no person after the first and twentieth day of September One thousand six hundred and four, shall keep any School, or be a School-master within any County of England or Wales in such Town, Parish or Place where such School is situate, out of which he hath been, or shall be sequestred or ejected, upon pain that as well the School-master, as also the party that shall retain or maintain any such School-master contrary to the true intent and meaning of this Ordinance, and being thereof convicted before the Justices of Peace at their General Quarter Sessions of the said County, shall forfeit each of them for every day so wilfully offending, ten shillings to the use of the Poor of the Parish where such offence is committed.

And be it further Ordained by the Authority aforesaid, That the several and respective Commissioners by this Ordinance authorized shall not deferre the putting in execution the powers to them intrusted by this present Ordinance, and their meeting for that purpose longer then twenty daies after the publication of this present Ordinance, but shall with all diligence and care forthwith endeavour the discharge of their said Trust, and from time to time appoint some one convenient place in their said respective Counties for their meeting as aforesaid, as may be most convenient for resort of such persons as shall be called before them.

And be it further Ordained by the Authority aforesaid, That the said several and respective Commissioners, upon complaint made unto them, by any Minister that hath been formerly placed by the late Committee for plundered Ministers, or any other Authority of Parliament, in any Church or Chappel in the room of any sequestred or ejected Incumbent and now removed from thence, or dispossessed thereof, by reason of the death of such sequestred

or ejected Incumbent; or who hath been presented by any Patron since the first of April, One thousand six hundred fifty and three, and hath not or shall not obtain a Testimonial from the Commissioners for approbation of Publick Preachers, as by the Ordinance appointing Commissioners for approbation of publick Preachers is directed; that there is due unto such Minister any Arrears of Tythes, or other duties whatsoever belonging to the said Churches or Chappels which have incurred while such Minister did exercise his Ministry in such Church or Chappel; That in all such Cases the said Commissioners, or any five or more of them, shall and may without requiring any such Testimonial to be produced by such Minister, summon to com before them all and every such person and persons as do or shall refuse to pay such Arrears, and proceed to hear and determine the said Complaints, and give such remedy for obtaining such Arrears as any the Justices of Peace may do for recovery of Tythes subtracted or withheld from the Incumbent by virtue of an Ordinance of Parliament, Intituled, An Ordinance for the true payment of Tythes, and other such Duties according to the Law and Customs of the Realm; or as any such Justices of Peace might have don by virtue of another Ordinance of the ninth of August, One thousand six hundred forty and seven, and Entituled, An Additional Ordinance for the true payment of Tythes and other Duties.

And be it further Ordained by the Authority aforesaid, That the said last mentioned Ordinance of the ninth of August, One thousand six hundred forty and seven, shall be, and is hereby revived, and shall be and stand in full power, force and virtue.

Provided, That this Ordinance, or any thing therein contained, shall not extend to enable any person or persons heretofore declared a Delinquent by Authority of Parliament, his or their Heirs or Assigns, to present or nominate to any Benefice or Ecclesiastical promotion, otherwise than he or they might have don before the passing of this Ordinance.

Tuesday, August 29. 1654.

Ordered by His Highness the Lord Protector, and His Council, That this Ordinance be forth with Printed and Published.

Hen. Scobell, Clerk of the Council.

## An Ordinance appointing the Excize of Allum and Copperace.

**B**E it Ordained by His Highness the Lord Protector, with the advice and consent of his Council, That the Commissioners for the Excise and their Sub-Commissioners and all Farmers and Officers employed in the Service of the Excise; Do from and after the nine and twentieth day

of September, One thousand six hundred fifty four, demand and receive for the duty of Excise, three pence for; and upon every hundred weight, containing five score and twelve pounds of Allum, and no more; and the same rate for Copperace to be paid by the maker thereof, the rate in the Ordinance of the seventeenth of March, One thousand six hundred fifty three, notwithstanding.

Tuesday, August 29. 1654.

Ordered by His Highness the Lord Protector, and the Council, That this Ordinance be forthwith Printed and Published.

Henry Scobell Clerk of the Council.

### An Ordinance for the better Maintenance and Encouragement of Preaching Ministers, and for uniting of Parishes.

**W**HEREAS many Parishes in this Nation are without the constant and powerful preaching of the Gospel, through want of competent Maintenance and Encouragement unto able and goodly Ministers in such places: Som Parishes in regard of their smallness, and of their propinquity and neighborhood, and the situation of their Churches; or Places of meeting being very convenient to be united; and other Parishes are so populous and of so great an extent, that all the Inhabitants thereof cannot with convenience resort to their respective Parish Churches; To the end som provision may be made herein, and the publick maintenance set apart for Ministers, and other pious uses, may be managed, improved, and distributed for the future, so as may be most for the advancement of the Gospel, and encouragement of Publick Preachers in all the places of this Commonwealth: And that the Augmentations granted, or which shall be granted out of the same, may be more orderly issued and certainly paid, and the Revenue not overcharged; And whereas som doubts have been made, whether the Rents, Profits and Revenues of all Rectories Impropriate, Appropiate, Tythes, Donatives, Oblations, Obventions, First Fruits, Tenths, Pensions, Portions of Tythes appropiate, and other things vested and settled in the Trustees named in one Act of Parliament, Intituled, An Act for providing maintenance for preaching Ministers, and other pious uses; and in one other Act of Parliament, Entituled, An Additional Act for providing maintenance for Ministers, and other pious uses; or either of them for the uses therein mentioned, ought not by force of the Ordinance, Entituled, An Ordinance for bringing the publick Revenue of this Commonwealth into one Treasury, to be paid into the Receipt of his Highnesss Exchequer.

Be it Ordained and Declared by the Authority aforesaid, That the said Ordinance, or any thing therein contained, shall not extend, or be construed to extend to any the Rents, Profits, or Revenues

venues by the said Acts, or any, or either of them, vested in the said Trustees.

But it is hereby Ordained by the Authority aforesaid, That all and every the Rectories Impropritate, Appropriations, Tythes appropriate, Donatives, Oblations, Obventions, First Fruits, Tenths, Portions, Portions of Tythes, and other the Premises by the said Acts, or either of them, vested in the said Trustees, and not exposed to sale by one other Act, Intituled, An Act for sale of the Manors of Rectories and Gleab-lands late belonging to the Arch-Bishops, Bishops, Deans, Deans and Chapters, shall from henceforth be vested and settled in the possession and seisin of William Steel Esq; Serjeant at Law, Recorder of the City of London, Sir John Thoroughgood of Kensington Knight, George Cowper, Richard Young, John Pocock, Ralph Hall, Richard Sydenham, Edward Hopkins, John Humfry and Edward Cresset, the Survivors and Survivors of them, and their Heirs to the uses, and upon the Trusts in the said Acts expressed, and to such further uses as are hereafter expressed. And that they or any five or more of them shall have, use, exercise and enjoy all and every the Powers and Authorities by the said Acts, or any or either of them given and committed to the Trustees in the said two first recited Acts named, to all intents and purposes.

And that they the said Trustees, or any five or more of them shall, or may by Action, Distress, Information, or by any other lawful waies, or means whatsoever, from time to time sue for, recover, receive, collect and gather, and cause to be received, collected and gathered the Rents, Issues and Profits thereof, as lawful and rightful Owners thereof in trust as aforesaid, and manage the said Revenue in such way and manner as shall be most conduceable for the carrying on of this service; And shall have the same, and the like powers for removing such obstructions as they shall meet with, concerning the said Revenue, that any Commissioners have for removing Obstructions, concerning the sale of Bishops, or Dean and Chapters Lands, and to compound for all Corn rent, or other Provision rent, reserved upon any Leas of any part of the Premises for an yearly rent in money.

And whereas several Delinquents, being seized, possessed, and interested of and in several Rectories, and portions of Tythes, or Appropriations respectively, have had an abatement in their Compositions in respect of them, or in lieu of so much of their Composition money as amounted unto the full value thereof, did convey or agree to convey the same unto several Trustees for Augmentation of Ministers maintenance in the Conveyances thereof mentioned, or the same are otherwise settled and disposed of; which Trustees do many of them altogether neglect the trust in them reposed, and the said Revenue is in no part of it under any certain account.

Be it further Ordained, That all Trustees that stand seized or possessed of any Impropritate Rectories, or Tythes, or any Estate wherewith the same stand chargeable respectively by virtue of any such Conveyance, Order or Agreement as aforesaid, be from henceforth divested of the Possession, Seisin, Interest and Estate, which they have in the Premises respectively by virtue of the said Conveyances



depances, or any Agreement, or Order in that behalf, and of all Trusts concerning the same. And that the said William Steel, and the rest of the said Trustees hereby appointed, their Heirs, Executors and Assigns, shall stand seized, and shall have, hold and enjoy the said Tythes, Estates and Premises so reserved or settled, or agreed or ordered to be settled, and all Arrears thereof, and all Evidences and Writings concerning the same to the same uses; and they are by Authority hereof vested, and possessed thereof, and of all Arrears thereof upon the same Trusts, as they the said Trustees had or ought to have the same by virtue of the said Condepances, Orders or Agreements respectively, and to such other uses as are hereafter expressed. And that they the said William Steel, and the rest of the aforesaid Trustees, or any five or more of them, shall enquire into and make search for the several Grants made by the said Delinquents as aforesaid, and settle the same, so as the Ministers that ought to receive the benefit and advantage thereof, shall and may enjoy the same, and all Arrears thereof with the least charge. And all persons employed about the contracting for and settling of the same, or in whose hands any of the said Writings, or Condepances, Counterparts, Orders, or other Writings concerning the same are, are hereby required upon the request of the said Trustees under the hands of them, or any three of them, to shew and produce as there shall be occasion, or to deliver the same to the said Trustees, or any three or more of them if the same be demanded.

And the said Trustees, or any five or more of them, are hereby authorized to send into the High Court of Chancery for the returns or for the true Copies of the returns of such Commissions as have issued under the great Seal by virtue, and in pursuance of the said recited Act of Parliament, Entituled, An Act for providing maintenance for preaching Ministers, and other pious uses. And the Clerk (in whose Custody the said returns are) is hereby directed and required as often as hee shall be thereunto required by the said Trustees, to make Copies of all Returns, and to deliver the same to the said Trustees, or any three or more of them, or the Clerk formerly appointed by Parliament to the said Trustees (who is hereby continued Clerk to the Trustees hereby appointed) for the service of the said Trustees.

And in case the said Trustees by this Act appointed, shall finde it requisite by reason of any defect or imperfection of any return of the said Commissions and Executions thereof, or by reason of the not executing of any former Commission, or in default of the issuing forth of any such Commission, That then in every such case upon their request certified and declared under the Hands and Seals of them, or any three of them, to the Lords Commissioners for the Great Seal of England, wherein they are to certify the names of such persons to whom they desire the said Commission or Commissions to be directed, The said Lords Commissioners do issue forth such new Commission and Commissions, according to the former tenor, into such Countreies and places as shall be by the said Trustees so requested as aforesaid.

And

And it is hereby further Ordained, That all the Commissions from henceforth so to be issued as aforesaid, shall also contain in them a further additional clause, and power for the enquiring, touching the yearly value of all Ecclesiastical Livings and Benefices without Cure of Souls, and what person or persons do now receive the profits of the same, and for whose use, and who is the Patron thereof, within the Limits of such Counties or Cities within which they are directed to enquire, and to certify the same into the Chancery, and a Duplicate thereof unto the said Trustees or their Register, for the use of the said Trustees.

And if upon view and consideration of any of the said Returns of the said former Commissions already issued and executed, or of any the Commissions hereafter to be issued forth, executed or returned, the said Trustees shall find it convenient and advantageous as aforesaid, to make any Unions of two Parishes or more, into one, and the whole Ecclesiastical Revenues, Tythes and Profits belonging to the said Parishes so united, to be supplied for a Provision for one godly and painfull Minister to preach in such of the said Parish Churches, where such Union shall be made, as they the said Trustees shall so judge most convenient as aforesaid: That then the said Trustees, as often as they shall see cause to make any such Union, shall present the same to His Highness and His Counsel, upon whose approbation the said Trustees, or any five or more of them shall declare by some Instrument in writing under five or more of their Hands and Seals, That they do thereby unite such two or more Parishes into one, for the ends aforesaid, and thereby appoint where the meeting of the Inhabitants of both the said Parishes for the Publick worship of God shall be, and the same Instrument after being inrolled in the Court of Chancery, from and after such inrolment, the said Parishes shall stand and be consolidated and united for the purposes aforesaid, and are hereby declared and shall be from thenceforth deemed and adjudged, and taken to be consolidated and united for the better maintenance of an able and godly Minister.

And all the said Inhabitants (living within the bounds and precincts of the said united Parishes) shall from and after such inrolment made, pay unto the Minister of the said united Parishes all their Tythes, Duties and Profits, which were before payable or belonging to the Incumbents or Curats of the said Parishes, and every or any of them; And shall likewise pay their rateable part and proportion, for the repairing and amending of such Church or Publick meeting place within the Precincts of the said Union, and for all other things necessary to be had or used in or about the said Church or meeting place.

And it is hereby further Ordained, That the Church-Wardens shall be from time to time chosen for the said Parishes so united vicariously as formerly, which being so chosen shall all of them be Church-Wardens of the said Church, as to the repair and necessities of the said Church, and Duties belonging to the same.

And be it further Ordained by the Authority aforesaid, That where such Union as aforesaid shall be made of two or more Parishes,

ties, whereof there be several Patrons, That the respective Patrons shall present by turns to the avoidances thereof, the Priority wherein shall be ascertained by the said Trustees in the aforesaid Instrument. And in case either of the said Livings so to be united as aforesaid, exceed the other double or more in value, The Patron of the Living of greatest value shall present twice for the others once.

Provided, That in case it shall happen upon any union to be made as aforesaid, the said Churches so to be united shall be full of Incumbents. That the said Union shall take place upon the next avoidance of either of the said Churches, or vacation or removal of either of the said Incumbents, and not before.

And it is hereby also Ordained, That notwithstanding any such Union to be made by virtue hereof, each of the Parishes so united shall continue distinct as to all Rates, Tithes, Parochial Rates, Charges and Duties, and all other Privileges, Liberties and respects whatsoever other than what is herein before mentioned and specified.

Provided also, That where any person or persons shall at their own charge advance and settle a competent maintenance for the Minister of any Parish Church to be approved according to the Ordinance for approbation of Publick Preachers, there shall be no Union so; so long as such maintenance shall indure of any such Parish by virtue hereof.

And where any such Union shall be made as aforesaid, it shall be lawful to and for the said Trustees, or any five or more of them, to cause such Church or Chappel as upon the said Union shall be found useless, to be taken down, and the materials converted to a joint-stock for the repairing, enlarging, and accommodating of the Church, or Publick meeting-place which shall be continued for the Inhabitants of the said Parishes, and not employed to any other use.

And it is further Ordained, That the said Trustees, or any five or more of them, shall have power to sever and divide Parishes, where they shall conceive it needful, and fix such maintenance out of the profits of the said Church so to be divided, as they shall think fit, to be approved of by the Parliament, and in the Intervalls of Parliament, by his Highness the Lord Protector, and his Council.

And be it further Ordained by the Authority aforesaid, That in all cases where the said Trustees shall think fit to unite two or more Parishes, so as aforesaid, whereby the maintenance shall arise to the yearly value of one hundred pounds or upwards, that in all such Cases, from and after the time wherein such Union and Consolidation shall take effect, any Augmentation, granted to either of the places so united, or to either of the Ministers there, shall from thenceforth cease and be discharged; And where the said Trustees shall find any Augmentation granted unto any Country Parish, or to the Preacher there, which together with the yearly Profits and Dues belonging to the said Church shall amount unto above one hundred pounds per annum, that the said Trustees shall have power to take off so much of the said Augmentation, as together with



with the said yearly profits and dues doth exceed one hundred pounds per annum.

And the said Trustees, or any five or more of them, have hereby power to review all augmentations already granted, or in as full and ample manner as the late Committee for regulating the Universities were impowred to do; and with the approbation of His Highness and the Counsel to allow, disallow or alter such augmentations, and to grant augmentations and allowances out of the aforesaid Revenue to such other Places, or Publick Preachers, or Schoolmasters in such Places, as they shall think fit, with the approbation of his Highness, and the Counsel.

Provided, That this Ordinance or any thing therein contained shall not extend to abate, diminish or discharge any augmentation of a greater value then aforesaid, already granted by His Highness, and His Counsel, without the consent of His Highness and His Counsel first declared in that behalf; nor to restrain the said Trustees from granting augmentations to Preachers in Cities and Market-Towns where there shall be cause of a greater proportion than as aforesaid.

And be it further Ordained by the Authority aforesaid, That they the said Trustees, or any five or more of them do, and they are hereby authorized, to take an exact Account of the yearly value of the whole Revenue hereby settled as aforesaid, as also what Leases are yet in being, and of how long continuance, and what improvement may be made thereof upon the expiration of the said Leases respectively, as also what augmentations, or annual payments or charges of any charitable, pious or other uses, the premises or any of them stand charged with, and to what uses, and to call up and compute the same; and to take care that the same be managed, and the said Profits, Rents and Revenues and all Arrears thereof, collected and gathered with least charge, and with the best advantage and security, and the payments made with least trouble to the persons concerned; and to take an Account how the Rents and Profits of the Premises, vested in the aforesaid Trustees by the aforesaid Act, have been employed and managed since the making of the said Act, by either of them; and also to call to an Account all Collectors, Receivers, and other Officers of the said Revenue, and to send for all Books of Accounts, and all other books and writings needful for the effecting hereof, and examine or cause to be examined their accounts, and the monies in their hands, or in the hands of any Tenants or others from whom the same shall appear due from time to time to be paid in; and to cause an exact Account to be made up yearly of all receipts and payments, and to appoint Officers needful; and to allow fitting salaries and allowances, and all incident charges necessarie for the former or future carrying on the said service; and to examine the salaries and allowances made by the Trustees, in the aforesaid Act named, unto their Clerks Treasurers, Collectors, Receivers, or other Officers, and to lessen or increase their number, and allow or disallow the said salaries or allowances if they shall see cause; and to manage the whole revenue so as may be for the best advantage of the said service.



And be it further Ordained by the Authority aforesaid, That there shall be paid unto each of the said Trustees for the said service one hundred pounds per annum out of the Revenues aforesaid, to be paid half yearly by the Treasurers by warrant from the said Trustees, of any six of them.

And be it further Ordained by the Authority aforesaid, That the said Trustees do within four moneths deliver into his Highness Court of Exchequer a particular of all the present Revenues aforesaid, and what Trades are in being, and of how long continuance, and shall yearly exhibit under the hands of them, or any five of them, into the Court of Exchequer on the second Thursday of every Easter Term, a perfect account of all the Receipts and Payments out of the said Revenues.

And lastly be it Ordained, That as often as any four of the Trustees before named, or the Trustees hereafter to be named shall by or be decessed, the six surviving Trustees shall, within two moneths next after by Feokment, or other good assurance, settle all and singular the premises to the use of themselves, and such other persons as the Lord Protector and His Counsel shall appoint upon the Trusts in and by this Ordinance expressed.

Saturday, September 2. 1654.

Ordered by His Highness the Lord Protector and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.

### An Ordinance to enable such Souldiers as served the Common-wealth in the late Warrs, to exercise any Trade.

**W**HEREAS there are divers Souldiers who have served the Parliament and this Common-wealth in these late Warrs, some of which are Pen-  
men that used Trades, others that were Apprentices to Trades who had not served out their times, and others who are now fit for Trades; many of which, the Warrs being now ended, would willingly employ themselves in those Trades they were formerly accustomed unto, which they are apt and able to follow and make use of, for the getting of their living by their labor and industry, but are hindered from exercising those Trades in certain Cities, Corporations, and other places within this Common-wealth, because of certain By-Laws and Customs of those places: And of a Statute made in the fifth year of the late Queen Elizabeth, prohibiting the use of certain trades by any person that hath not served as an Apprentice to such Trades by the space of seven years: For remedy whereof, and to the end that those persons that have adventured their Lives for the safety and preservation of this Common-wealth, might not be deprived of a means of livelihood in the places where they now do, or hereafter shall reside

and Inhabit: It is by His Highness the Lord Protector, of the Common-wealth of England, Scotland and Ireland, by and with the advice and consent of his Counsel Ordained, and he it hereby Ordained, That all such Souldiers which have been employed in the Service of the Parliament and Common-wealth, either in England, Scotland or Ireland, or in any of the Dominions of the same, by the space of four years, at any time since the Year of our Lord God, One thousand six hundred forty two; And before the Third of September, Anno Domini, One thousand six hundred fifty one, and have not since revolted to the late Kings party, or deserted the Service of the Parliament; or that have served by the space of two years in the Wars in Scotland or Ireland; in the Service of the Common-wealth of England, since the said Third day of September, One thousand six hundred fifty one; and before the first day of this instant month of August, One thousand six hundred fifty four; and that have heretofore used or exercised any Trade before that time, or that were Apprentices to any Trade, though they did not serve out their Apprentiship; or any other person employed as aforesaid in the Service of the Parliament and Common-wealth, that is apt and able to practise any Trade, may set up and exercise such liberal and respective Trades, Mysteries or Occupations, whereunto he or they have been bound Apprentice, and served any part of his or their Time; or any Handicraft, or other Trade exercised about Manufactures, though he was never bound Apprentice to the same, in any City or Town Corporate, or in any other place whatsoever within this Common-wealth, where they or any of them do or shall reside and inhabit, without any Suit, let or molestation of any person or persons whatsoever, for or by reason of the using of such Trade. And if any such Souldier or Souldiers shall be Sued, Impleaded or Indicted in any Court whatsoever within this Common-wealth, for using or exercising any such Trades as aforesaid; then the said Souldier or Souldiers making it appear to the same Court where they are so Sued, Impleaded or Indicted, that they have served the Parliament and Common-wealth in the late Wars aforesaid, shall upon the General Issue pleaded be found Not-Guilty, in any Complaint, Bill, Information or Indictment exhibited against them; and such persons, who notwithstanding this Ordinance, shall prosecute their said Suit, by Bill, Plaint, Information or Indictment, and shall have a Verdict pass against them, or become non-Suit therein, or discontinue their said Suit; such person or persons shall pay unto such Souldier or Souldiers double Costs of Suit to be recovered as any other Costs at Common Law may be recovered: And all Judges and Jurors before whom any such Suit, Information or Indictment shall be brought; and all other persons whatsoever, are to take notice of this present Ordinance, and shall conform themselves hereunto, Any Statute, Law, Ordinance, Custom, Usage or Provision made to the contrary in any wise notwithstanding.

Prohibited that this Ordinance shall not extend to any such Soldier that hath been, or shall be; any misdemeaner hereafter be cashiered out of the Army; And that no Soldier shall have the benefit of this Ordinance, that shall not prove his Service as aforesaid, either by a Certificate under the Hand and Seal of some Field Officer, and two Commission Officers of the Regiment wherein he served, or some General Officer of the Army certifying his knowledge of the Service aforesaid; and the said Certificate to be proved by one Witness at least to be a true Certificate, or for default of such Certificate, by the Oathes of Two credible persons at least.

London, Saturday, September 2. 1654.

Ordered by His Highness the Lord Protector and his Council, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Council.

### An Ordinance touching the Office of Postage of Letters Inland and Foreign.

**W**HEREAS upon the one and twentieth of March, One thousand six hundred forty and nine, It was resolved by the then Parliament, That the Office of Post-Master, Inland and Foreign, were and ought to be in the sole power of the Parliament, and several Orders were made by the said Parliament, whereby the management thereof was referred to the Council of State. And whereas on the thirtieth day of June, One thousand six hundred fifty and three, the then Council of State did by special Contract demise, and let to farm the said Offices for the Postage of Letters both Foreign and Inland unto John Manley of London, Esquire, at and under certain Rents, Covenants and Conditions for the benefit and advantage of the Commonwealth: For the confirmation of the said Contract, and the better regulation and due execution of the said Offices, and to the end the same may be managed with most security and expedition in the Carriage and return of Letters, as well of the Publick as Private concernment, and that the prices for postage of Letters may be reduced to a lower rate, and more certainty than in former times, for the ease and advantage of the people; and also for the better enabling the said John Manley to perform the said Contract on his part, and to observe and fulfill the Conditions and Covenants hereafter in this Ordinance contained;

Be it Ordained by his Highness the Lord Protector, by and with the consent of his Council, and it is Declared and Ordained by the Authority aforesaid, That he the said John Manley, his Heirs and Assigns, from the said thirtieth day of June, One thousand six hundred fifty and three, untill the thirtieth day of July which shall be in the year of our Lord One thousand six hundred fifty and five, shall and may so; and under the Rents, Conditions, Clauses, Provisoes and agreements

agreements hereafter in this Ordinance set down and mentioned, have, hold, execute and enjoy the said Office of Postage of Letters both Inland and Foreign, together with all the powers, perquisites and profits to the same of right appertaining, and herein hereafter expressed, and shall and may by himself and such faithful, able, and well-affecting Deputies and under-Officers (to which he shall stand and be responsal) take and receive such Perquisites and Profits wholy and no more as are herein hereafter particularly mentioned, allowed and expressed, in manner and form as hereafter ensueth.

And first, The said John Manley shall have the sole Care and Charge of the Postage and Carriage of all Letters and Packets, both Foreign and Inland to and from all persons; and in all places of England, Scotland and Ireland, and to and from all other places within the Dominions of this Common-wealth, exclusive to all others, except for such as shall be sent either by common and known Carriers along with their Carts, Waggones or Pack-horses, or by Messenger, or by Messengers on purpost, or by some servant, or by Friends, or by some Ship or Whyle, Vessel or Vessels, not being Packet-Boats nor Vessels, or Boats purposely or principally employed to carry Letters; All which said Packet-Boats and other Vessels and Boats to carry Letters (except only such as shall be employed by the said John Manley, together with all other Posts, but such as shall likewise be thereunto Authorized and Impowered by him) are hereby expressly prohibited, forbidden and suppressed.

## 11.

Item, The said John Manley, by himself and his said Deputies, Agents, and under-Officers shall from time to time, and at all times during the continuance of this Ordinance, safely and faithfully carry all ordinary and extraordinary Letters and Dispatches to or from his Highness, and to or from his Council, or Secretary of State, or any of them; And to and from all Members of the Legislative power, and to and from the Commissioners or Committee of the Admiralty or Navy, Generals of the Fleet, General Officers of the Army, Committee of the Army, Committee for Scotch and Irish Affairs, and that by the Common, Ordinary Path or other speedy and safe passage, as the urgency of the occasion shall require.

Provided, That whatsoever Letters or Packets (which shall not come or be offered by some known Publick Deal, or Imprest to be for the Publick, or some of the Affairs above specified) shall, by the freeing them from pay of Postage, have an Indorsement upon them in these words, or to this effect following (viz.) These are for the service of his Highness, or for the service of the Common-wealth, together with the names of such persons or their Secretaries or Clerks, who attend them of those services respectively, indorsed upon the same.

Item, That for all other Letters and Packets to or from private persons, and for private occasions (and not at all relating to the persons and publick Affairs mentioned in the former Article being absolutely



solately fees from Pay and Postage) be the said John Manley shall by himself, his Agents, Deputies, or under-Officers receive and take for the carriage and postage thereof onely according to the Rates following, and no other or higher rates; viz. For every Letter to or from any place within eighty miles distance from London, if a single Letter, two pence, and if a double Letter, four pence. And for every Letter at a farther distance than eighty miles; if a single Letter, three pence, if a double Letter, six pence. And for every Letter to or from Scotland; if a single Letter, four pence, if a double Letter, eight pence. And to or from Ireland; for every single Letter, six pence, and every double Letter, twelve pence; and for treble or greater Packets of Letters, proportionably.

## III.

Item, To the end a weekly intercourse may be continued betwixt England and Ireland, the said John Manley shall (over and besides the Packet-Boats for Foreign Posts) and is hereby obliged to maintain one or more Packet-Boats to pass and repass, if not hindered by wind and weather, weekly between Milford and Waterford, and between Chester and Dublin, or to settle such other towns and means for a weekly correspondence between those places as may be equidistant for speed and security with the waters aforesaid.

## IV.

Item, The said John Manley shall be, and is hereby obliged to maintain and keep one or more Foreign Packet-Boats to be weekly employed for the Foreign Posts, as hath been formerly used and accustomed.

## V.

Item, That for the better carrying on of the Publick service, especially of the Post, there shall be (besides the several Postages now in use) settled, maintained and established by the said John Manley, a weekly Post between Dover and Portsmouth, and betwixt Portsmouth and Salisbury, and between London and Yorkmouth, and between Lancaster and Carlisle.

## VI.

Item, That for the Foreign Letters imported and exported (other than for Ireland and Scotland, the rates whereof are before particularly set down) the said John Manley, shall have, and by himself and his Deputies, Agents and under-Officers, receive and take for the Postages and Carriage thereof, the Rates heretofore used and accustomed, and no other nor further rates nor value, so that it is hereby Declared and Ordained, That there shall be no increase of Rates, nor alteration concerning the same.

## VII.

That for the more speedy and effectual dispatch of all the said Posts and Premises, the said John Manley, shall be, and is hereby obliged to cause the said Posts to run seven Miles an hour in Summer, viz. from the first of April to the last of September; And five Miles an hour in Winter, viz. for the rest of the year.

## VIII.

Item, That the said John Manley shall be, and is hereby obliged to take order for, and cause every his under-Post-Master or Deputy,

cy: at his feveral Stage, to have in readinesse one good Horse or Mare to receive and carry the Pale of Letters from thence to time, that the same may not be staied at any Stage above half a quarter of an hour at most: And for the more speedy dispatch thereof, that no other person (besides the Post that carrieth the Pale) be suffered to ride Post with the Pale.

X. That the said John Manley shall be, and is hereby obliged to provide Post-houses at every Stage, for all such persons, as shall by especial Warrant of his Highness, His Council, any of the Generals at Sea, Commissioners of the Admiralty and Navy, Secretary of State, General Officer of the Army, Commanders of any Garrison, or Commanders of any Squadron or Ship of the Navy of the Common-wealth, be authorized to ride Post.

XI. That for the reasons aforesaid none but the Post-Pasters, deputed and approved of by the said John Manley, upon the feveral Roads, shall hoise any person Post; and that the said Post-Pasters upon the Roads, deputed by the said John Manley, shall not receive any take, from any person or persons riding post as aforesaid, above the rate of three pence a mile for each Post-horse, being the Rates in such case formerly used and accustomed. And to the end there may be a constant and sufficient provision at every Stage for the housing of such as shall have such Warrant as aforesaid, to take Post-horses, the said John Manley, shall be, and is hereby obliged to cause every Post-Paster, deputed by him, to keep usually and constantly at every Stage, the number of four good Horses or Mares at the least for the said Post-service.

XII. That the said John Manley shall truly and faithfully pay unto such Treasurer or Receiver, as His Highness the Lord Protector shall appoint, to the use of the Common-wealth, the sum of ten thousand pounds yearly, by quarterly payments, at and upon such dates and times as he hath promised and secured the payments of the same.

And it is hereby Declared and Ordained, and be it Established and Ordained by the Authority aforesaid, That to the end the said John Manley may be the better enabled to pay the said yearly rent at the quarterly rent dates as aforesaid, and to do and perform the feveral Agreements on his part to be performed as aforesaid, and for and in consideration of the said Rents and Agreements, That he the said John Manley, for himself, his Deputies and under-Officers, shall have and enjoy the Privileges, Exemptions, Freedoms, and Immunities hereafter specified.

That in respect of the necessary and constant attendance of the said John Manley, and others employed under him in the execution of the Premises, as well by day as by night, That therefore the said John Manley, as also his under Post-Paster or Deputy at every Stage, and two servants at every of the said Stages, are hereby and shall

shall be from time to time during the term aforesaid, freed and discharged of and from all and all manner of Duties and Posters, and of and from all and all manner of Summons and personal appearance and attendance upon or at any Assizes, Sessions, Juries, Inquests, and other Offices or Duties requiring personal attendance.

## II.

That no person or persons whatsoever besides the said John Manley, his Deputies and under-Officers, shall be allowed or suffered to set up any Post, or keep Horses, or any Packet-Boat or Boats for the carrying or sending of Letters Inland or Foreign.

## III.

That all Posts, and Carriers of Letters, Post to or from Dover, Yarmouth, Norwich, Winchester, Lynn, Bury, Oxford, Cambridge, Southampton, Plimmouth, York, Lincoln, Bristol, &c. or to or from any other Town or Place within this Common-wealth, or the Dominions thereto belonging, without Deputation, License or Allowance of, from and under the said John Manley, shall and are hereby prohibited, forbidden and suppressed.

## IV.

That if any person or persons whatsoever, shall offend against any thing in these two last preceding Articles, or carry any Letters post, notwithstanding the said prohibition of the said two last Articles, or do any other Act or Thing to the Damage, Prejudice or Hindrance of the said John Manley, in the free holding and enjoying the said Office of Post-Paster General as aforesaid, or any of the Premises to him by this Ordinance granted or allowed; he the said John Manley shall have by virtue hereof his special action upon the Case against such person and persons so offending, to be commenced in the Court of Exchequer, and if the Verdict pass for the Plaintiff, he shall by Judgement of the said Court of Exchequer, recover double Damages, and have double Costs awarded him in every such action.

## V.

That no person or persons warranted to ride Post, shall ride or hoke one Stage upon the same Post-horses without consent of the Owners of the said Horses, or the Post-Pasters from whom he or they shall hire the same, to the wrong of such Horses, and prejudice of the Posts; and if any shall attempt to do the contrary, the next Magistrate, Constable or Officer, upon Complaint thereof made, shall lay the said Offenders, and discharge them off the said Horses, and likewise cause them to make reasonable satisfaction for the wrong therein done.

## VI.

And it is hereby further Established and Ordained, That (in respect of the said Rents to be paid for the increase of the Publick Revenue, and Services to be done and performed by the said John Manley as aforesaid) the said Office and Offices of Post-Paster General, and postage of Letters hereby granted to the said John Manley, shall be absolutely freed and discharged of and from all manner of Taxes and Assessments from time to time during such term as he shall hold and execute the same, and that neither the said

said John Manley, nor any under Deputie or Officer under him, shall for or in respect of the said Office or Offices, or any of the premises hereby granted, be taxed or assessed, or any waies be compelled to pay any rate, tax or assessment, but that hee and they (at and under the Kents and Conditions aforesaid) may bee at all times during the said Term hereafter therefrom freed to all intents and purposes.

Saturday, September 2. 1654.

Ordered by His Highness the Lord Protector, and His Council, That this Ordinance bee forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

### An Ordinance for the giving Libertie For the Carrying of Mill-stones, Timber, Stone, &c.

**B**E it Ordained by His Highness the Lord Protector, by and with the advice and consent of His Council, That it shall and may be lawful to and for any person or persons, other than common Carriers, to make use of any greater number of Horses or Oxen, for the draught of Mill-stones, Timber, Stone, or of the heaviest carriage than are limited or appointed by the late Ordinance, Intituled, An Ordinance for the better amending and keeping in repair the Common High-waies within this Nation, for and during the space of four Moneths in every year; That is to say, the months of May, June, July and August, and not otherwise; The said Ordinance or any other thing to the contrary in any wise notwithstanding.

Saturday, September 2. 1654.

Ordered by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobell, Clerk of the Council.

### An Ordinance touching Fines.

**W**HEREAS by one Act of Parliament, Intituled, An Act for the taking away of Fines upon Bills, Declarations, and Original Writs, It was enacted, that from and after the first of August, One thousand six hundred fiftie three, no Fines should be taken upon Bills, Declarations, or Original Writs, but that such Writs should be from thenceforth issued, and such Bills and Declarations admitted and filed without taking any Fine; And whereas upon the seventh of November, One thousand six hundred fiftie three, It was resolved, That the general words in the



said Act, do extend to take away the Fines upon Writts of Covenant, and Writts of Entry, but no care or provision is had or made for making good Writts of Covenant, and the Fine and assurance thereupon, notwithstanding the not-entring of the Fines heretofore called the King's Silver, which may cause disputes and differences in after-times, and bee very prejudicial to the people of this Commonwealth in their common assurances: For preventing of which danger, and for the better satisfaction of Purchasers and others in their assurances, Wee it declared and Ordained by his Highness the Lord Protector, by and with the advice and consent of his Council, That such Purchaser or Purchasers as have since the said first day of August, sued out such Writts of Covenant and Writts of Entry, may, if they think fit, cause such Writts to be brought to the Alienation Office, and have Fines there set, and in such cases no new Fees shall bee taken for passing the said Writts in those Offices through which they have already passed; And that from and after the first day of September, One thousand six hundred fiftie four, Fines shall bee set and taken upon such Writts of Covenant and Entry, by the Officers who formerly did, or shall bee hereafter authorized to do the same, any thing in the said Act or Note aforesaid to the contrary notwithstanding.

Sunday, September 27. 1654.

Ordered by His Highness the Lord Protector, and his Council, That this Ordinance be forthwith Printed and Published.

Hen. Scobel, Clerk of the Council.

### An Ordinance, for Sale of Four Forrests or Chases, reserved for Collateral security to the Souldiers.

**W**HEREAS the several Forrests or Chases hereafter particularly mentioned, have been excepted in the late Act of Parliament, made for the Deafforestation, Sale and Improvement of the Forrests &c. and by the said Act reserved as Collateral securitie to the Officers and Souldiers of the Armie, whose Arrears are yet unsatisfied: For the better satisfying of all such Arrears due to all Officers and Souldiers which were in service for the Commonwealth on the twentieth fourth day of December, One thousand six hundred fiftie seven, or which by any Ordinances or Act of Parliament are comprehended within the securitie given to the said Armie; And also for the satisfying of the Arrears of such other persons as in this present Ordinance are hereafter named; And for the Deafforestation, Sale and Improvement of the said federal Forrests or Chases; And also that all persons who lawfully claim, and of right ought to have the Common of Pasture, Pannage, Turbarie, Estovers or other

other profits and advantages, upon or within any of the said Forests or Chaces, or upon or within any other Chaces or Parks heretofore belonging to the late King, Queen or Prince, which have not been conveyed to any person or persons, or for the which the whole purchase money payable for the same is not yet satisfied; Bee it Ordained by his Highness the Lord Protector, by and with the advice and consent of his Counsel, That the Forest of Needwood, otherwise called, Needwood Chase, lying and being in the Countie of Stafford and Derby, or either of them; The Forest of Kingswood, otherwise called, Kingwood Chase, in the Countie of Gloucester; The Forest of Ashdown, with the Inclosure or Park there, commonly called, Lancaster great Park, in the Countie of Suffex; And the Forest of Sherwood in the Counties of Nottingham and Derby, or one of them, and all Homages, Mannors, Lands, Tenements and Hereditaments within the ordinarie and usual precincts, limits and perambulations of the said Forests and Chaces, or any of them (as the said perambulations are limited by an Act of Parliament made in the sedententh year of the late King Charles heretofore belonging to the late King Charles deceased, in the right of the Crown, or Dutchy of Lancaster or otherwise, and which were in the actual seizin of him or of any of his Tenants, Agents, Servants, Trusies, Officers or Ministers in his right, or for his use, on the twentieth day of March, One thousand six hundred thirtie five, and all Royalties, Privileges, Franchises, Immunities, Rights, Powers, and Jurisdictions whatsoever to the premises belonging or appertaining, or heretofore lawfully used, occupied or enjoyed with or in the same, as fully and amply, to all intents and purposes, as the same were so used, occupied and enjoyed by the said late King, or by any other person or persons lawfully claiming from, by, or under him, shall be, and are hereby vested in the real and actual possession and seizin of Thomas Cook of Pockmarsh in the Countie of Essex, Esq; William Bosville, John Sparrow, William Kenwick, Ralph Harrison, William Scott, William Steele, Sylvanus Taylor, Thomas Hubbert, and Cornelius Cook, Esqs; the survivors and survivors of them, their heirs and assigns, to the uses and purposes mentioned and comprehended in an Act of Parliament, intituled, An Act of the Commons in Parliament assembled, for sale of the Honours, Mannors and Land, heretofore belonging to the late King, Queen and Prince, and to such other purposes, as in this present Ordinance is mentioned and ordeined, to have and to hold the premises to them, and their Heirs and assigns, under the trust in the said Act and this present Ordinance declared, as of the Mannor of Estrenewich in free and common socage by fealty, for all services, as fully freed and discharged from payment of all manner of Tithes, or other duties, as the said late King held, or ought to have held the same, Saving to all and every person or persons, bodies politic and corporate, their heirs, successors, executors, and administrators, other than the late King, his heirs and successors, and all claiming from, by, or under him, to his use, or in trust for him concerning onely such use or Trusies, all Right, Title, Interests, Rights in Law and Equity, Annuities, Commodities, Fees and other profits

fits, which they or any of them now have and ought to have enjoyed, or has right or title unto before the twentieth day of March. One thousand five hundred fourtie one, other than by virtue or in right of the Custodie of any of the said Forest or Chaces, or of any office heretofore belonging to them or any of them, the exercise whereof is now ceased, or which by virtue hereof shall cease to bee of further use.

And it is Declared and Ordained by the Authoritie aforesaid, That the said Trustees, or any four or more of them, Sir Walter Roberts, Knight, and the rest of the surviving persons named and enabled in the aforesaid Act, to contract with any person or persons, bodies politick or corporate, for sale of the premises, or any part thereof, in and by the said Act exposed to sale, or any four or more of them, Thomas Andrews Alderman of London, and others the Treasurers in the said Act named, or any two or more of them, and all other officers in the said Act named and appointed, shall and are hereby enjoined and impowred (in all things relating to the sale of the premises hereby vested and settled on the said Trustees) to observe, perform and execute all such Rules, Instructions, Authorities and powers (saving what is herein and hereby limited, restrained, added, or altered) as the said Trustees, or any five, or more of them, the said Contractors, or any five or more of them, the said Treasurers, or any two or more of them, or other the Officers in the said Act named, in their respective places are appointed, authorized and enjoined to perform and execute, by virtue of the said Act, or any Clause thereof, or by virtue of all or any of the additional Acts made to the said Act, or any other Act or Ordinance of Parliament touching the said Act, or Additional Acts, or any of them do in any wise relate or refer; And that the said Trustees, Contractors, Treasurers and other Officers in the said Act named, shall have such fees and allowances continued to them for the discharge of their respective Duties hereby reposed in them, and in such manner allowed and paid to them and every of them (and shall bee in all things relating to their said Trusts secured and indemnified) as in and by the said Act is declared and directed, and the Rents, Issues, Profits, and all other ready monies already due, or received, or hereafter to bee due, or received, payable aswell for any part of the premises hereby exposed to sale, as for any part of the premises heretofore appointed to bee sold by the fore-mentioned Act or additional Acts, or any of them (other than the Rents, Issues and Profits which shall by virtue of any Purchase made of any part of the said premises, become due and payable to the respective Purchaser or Purchasers thereof) shall bee equally and alike applicable from time to time towards the payment and discharge of the just and lawful Dues of the respective Persons heretofore mentioned, and of all Incident Charges arising by reason of the Executing of the said Act or additional Acts, or of this Ordinance, or of any of them respectively: And bee it further Ordained by the Authoritie aforesaid, That the like Commissions & Instructions as by an Ordinance Entituled, An Ordinance appointing Commissioners to survey the Forests, Honors, Manors, Lands, Tenements & Hereditaments within the usual limits and perambulations of the same, heretofore belonging to the late King, Queen and Prince, is Ordained

and directed shall issue under the great Seal unto Commissioners to be nominated by his Highness for Surveying the Forests and Chaces in this Ordinance mentioned, as also of such Chaces and Parks as being in the before-recited Act, vested in the Trustees, have not been provided upon, so as to the settling said of proportions for the respective Interests claim'd, as to be claim'd in all or any of them, and of all Honors, Mannors, Lands, Tenements and Hereditaments within the same, and with other the like Powers, Authorities and Instructions in all things in reference to the premises as is directed by the said Ordinance, as also after the full Execution of the said Powers, as sooner if they shall be required to certify the Surveyors of the respective Forests, Chaces and Premises, and other their proceedings touching the same unto the Trustees in this Ordinance mention'd, as any four or more of them, for the better execution of this Ordinance. And bee it likewise Ordain'd by the Authority aforesaid, That for the better preservation of all Woods and Underwoods, and of all such Fences as are or shall bee made within any the Forests, Chaces or premises aforesaid, as within any part thereof, The Justices of Peace in each Countie where any part of the premises is inclusion shall bee or be, do and are hereby enjoined to take special care to put in execution the Statute made in the fourth third year of Eliz. Chap. VII for punishing of such as shall break out or spoil any Woods, underwoods, Hedges, or other Fences, &c. and that the same bee given in charge by the said Justices at their severall Quarter Sessions of the Peace accordingly. And it is also hereby further Ordain'd, That the Trustees before named, as any four or more of them, shall have, use, and exercise like powers and authorities in order to the preventing of all Wasts and spoils which shall bee made in or upon any part of the premises comprehended in this Ordinance, and to the punishing of all Persons making such Wasts or Spoil accordingly, as also to the compelling of all or any the Rents and Profits issuing out of, or arising upon the premises, as any part thereof, as any Committee or Commissioner for removing of obstructions in the Sale of any Lands, Fee farm Rents or Hereditaments whatsoever, might or ought upon the Tenth day of December, One thousand Six hundred fiftie three, to have used or exercised by force and virtue of any Act, Ordinance or Order of Parliament, or otherwise; And it is also Ordain'd and hereby declared, That no Demesne Lands in Possession or Reversion, or other profits and advantages which have formerly been granted by Act, or by Letters Patents, for Term of Years or Years, under a Rent reserved thereof, shall pass or bee conferred to pass to any Person or persons whatsoever claiming the same, as any part thereof, by virtue of any general Writs comprehended in any Grant or Grants from the late King, Queen or Prince, or from the Trustees, or any four, five, or more of them, named in the Act for sale of the Honors, Mannors and Lands aforesaid, unless the premises be claimed bee particularly mentioned in the said Grant or Grants, and valued in the particular upon which the said Grant or Grants



have been grounded respectively, but that all Sales heretofore made, or hereafter to be made (in behalf of the Common-wealth) to any person or persons, shall stand good, and the premises so sold (and paid for) accordingly, shall be held and enjoyed against all such Claims by virtue of any Writs of Court or general Writs whatsoever. And that the said Trustees may the better be enabled to defray the charge of Surveying, and other incident charges arising upon or about the sale of the premises: Be it Ordained, and it is hereby Ordained, That one third part in value (by estimation of the Surveyors) of so much of the Chace, commonly called Enfield Chace, in the County of Middlesex (as after allowances made to the several persons claiming interest therein, ought to to be set forth for sale and disposal according to this present Ordinance) shall be sold by the Contractors aforesaid, or any four or more of them, to any person or persons whatsoever, who will purchase the same with ready money, and no otherwise, at such rates (not abating of Ten pears Purchase for the Lands, nor of the gross value, as they shall be respectively returned) as shall be agreed upon by them the said Contractors and Purchasers respectively; Which ready money shall be paid unto the Treasurers, as all other ready money payable upon Contracts, is by the first mentioned Act appointed: And the said Treasurers shall from time to time issue out the said ready money by Warrant from the said Trustees, or any four or more of them; which Warrants (as also such usual Conduces or Deeds, as (upon the payment of such moneys) any purchaser or purchasers of any part or parcel of the said clear third part of the said Chace shall desire). The said Trustees, or any four, or more of them, are hereby enabled, authorised and required to make, grant, and give accordingly: And it is further Ordained by the authority aforesaid, That such summe and summes of money as are owing and in arrear to Col. Edward Montagu, as Colonel of a Regiment of Foot, and Captain of a Company of Foot, lately under the command of Edward Earl of Manchester, and Thomas Lord Fairfax, according to two several Accounts stated and sign'd, the one of the Committee of Accounts sitting at Worcester-house, and dated the twentieth of October, One thousand six hundred fourtie nine; and the other by John Blackwell Esq; one of the Treasurers at War, bearing date the twenty second of February, One thousand six hundred fifty three: And also all such summe and summes of money as are owing and in arrear upon the Account of Col. John Pickering deceased, at the time of his death, for his personal service, as Colonel of a Regiment of Foot, and Captain of a Company of Foot, according to three Debentures, one bearing date the twentieth of September, One thousand six hundred fourtie nine, dated and signed by the Committee of Accounts sitting at Worcester-house; and one other stated and signed by William Stane, Commissary General of the Ordnance, and by two of the Commissioners of the Eastern Association, being for his service under the said Earl of Manchester, to the second of April, One thousand six hundred fourtie five: And one other stated and sign'd by the said John Blackwell Esquire,

for his pay to the twentieth second of December, One thousand six hundred fourtie five & also the sum of seven hundred and eleven pounds, due to Edw. Dandy, Esquire, for the arrears for his personal service in the Armie, the sum of two thousand eight hundred seventy four pounds and nine shillings; to Col. Richard Fortescue, for his arrears of pay, as an Officer in several Capacities in the Armie, before the thirtieth day of April, One thousand six hundred fourtie eight, according to an account thereof, stated and certified by the Commissioners for the Countie of Cornwall, according to an Ordinance of Parliament of the twentieth fourth of December, One thousand six hundred fourtie seven: The arrears due to Major Anthony Markham, for his services under Col. Disney, and Colonel Edw. Rossiter; The arrears of pay due to Major Thomas Smalwood, as Chaplain to the Regiment of the Lord Fairfax, then Sir Thomas Fairfax, Knight, under the Command of Ferdinando Lord Fairfax; and to a Regiment under Colonel Christopher Copley, and also to the Regiment of Major General John Lambert; And likewise four hundred seventie four pounds twelve shillings and a penny, for the arrears of pay due to Major William Boteler, as Captain of a Troop of Horse in Col. Lydcot's Regiment, unto the twentieth fifth of March; One thousand six hundred fourtie five, as appeareth by the Account thereof stated and allowed; The arrear due to Lieut. Col. Benjamin Norton, Captain Thomas Talbot, and to Major Francis Bradbury, now due to his Heir, as the same are stated, shall from henceforth stand and bee charged upon the Forests, Chases, Ponds, Panoys, Lands, Tenements and Hereditaments, with their privileges, Royalties and appurtenances, by this present Ordinance vested in the Trustees therein named; And the said Trustees are hereby authorized, enjoined, and required to give the like security by Bond or otherwise, for the said Arrears, as they might or ought to have given to any other person or persons, for any their Arrears stated by virtue of a late Act for the present examining and stating the Accounts of the Officers and Soldiers now in the Parliament's service within this Nation; And the said Trustees, and the Contractors, Treasurers, and all other Officers and Ministers whom it doth or may concern, are hereby authorized and required to allow, accept, and pay the said Arrears secured by Bond, or otherwise as aforesaid, so stated and certified as aforesaid, or any part of them, in payment for or upon the purchase or purchases of any the premises vested as aforesaid, as fully to all intents and purposes as they might or ought to accept, allow and pay any the Arrears stated and certified by virtue of the Act of Parliament last before mentioned, any former Act, Order or Ordinance to the contrary of any matter or thing herein contained notwithstanding. And for the better quieting of Purchasers, their heirs or assigns in their respective possessions; It is hereby further Ordained and Declared, That all Ponds, Panoys, Lands, Tenements or Hereditaments, reputed to be or lie within the bounds, limits, precincts, or perturbations of any of the Forests, late belonging to the late King, Queen, or Prince, which have (before the passing of this Ordinance) been com-  
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veyed by the Trustees, or any five or more of them, in the first recited Act mention'd, or for which upon any Contract made with the Contractors in the same Act named (or any five or more of them) the first moiety or whole of the purchase-money hath been paid and satisfied upon payment of the Remainder, shall bee and are hereby confirmed and made good to the several Purchasers of all or any such Honors, Manors, Lands, Tenements or Hereditaments whatsoever, according to their respective Contracts; And every such Purchaser or Purchasers, his or their Heirs or Assigns respectively, shall accordingly have, hold and enjoy the respective Lands and premises so purchased, by him or them, against the Common-wealth, and all other persons whatsoever claiming by from, or under the same; And that all Fee-farm Rents, or other Dye Rents, formerly belonging to the late King, Queen or Prince, which have been already conveyed to any Purchaser or Purchasers, as parcel of the Quit-Rents, Chief-Rents, or Rents of Assize belonging to any Honors, Manors or Lordships, by any five or more of the Trustees, in the first recited Act named, and which have not before the Tenth day of March last been sold and fully paid for, by any person or persons pretending to purchase the same of the Trustees appointed for Sale of all Fee-farm Rents, Dye-rents, &c. shall, according to their respective Contracts, stand good, and are hereby confirmed to the several and respective Purchasers, their Heirs and Assigns, unto whom such Rents are already conveyed accordingly, any Clause in this Ordinance, or any former Act or Acts of Parliament to the contrary hereof notwithstanding; And bee it further Ordain'd by the authoritie aforesaid, That all Right, Title or Interest, which any Person or Persons whatsoever, doth, or shall pretend to have in any of the Honors, Manors, Lands, Tenements and Hereditaments (exposed to sale by the first recited Act) or any part or parcel thereof, which Right, Title or Interest hath been doubtfully certified upon the Survey or Surveys of the respective premises, and not cleared and allowed within fourtie dates after the return of such Survey or Surveys, or otherwise as by the said Act is required, all, and every such Right, Title and Interest, which hath not been, or shall not be cleared and allowed as aforesaid, as to the premises, already Surveyed within four Months from the passing of this Ordinance, and as to so much of the premises as are yet unsurveyed, within six months from the respective returns of the Surveys thereof, together with the Right, Title and Interest of every such person or persons, who have not made his or their Claims according to the Direction of the said Act, shall cease, determine and be utterly void, and all and every such person or persons, their and every of their Heirs and Assigns, shall be for ever excluded and debarred from making or renewing any Claim to any such part of the premises respectively.

Ordered by His Highness the Lord Protector and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell, Clerk of the Council.

## An Ordinance for further doubling upon Deans and Chapters Lands.

**H**is Highness the Lord Protector and the Council, having taken into consideration, and being fully satisfied, That over and above the federal sums of Three hundred thousand pounds, One hundred and twenty thousand pounds, Twenty thousand pounds, and Two thousand pounds, by federal Acts and Ordinances appointed to be borrowed upon the securities by him in federal Acts of Parliament, and Ordinances of His Highness and the Council; as also the sum of Six thousand eight hundred ninety two pounds and five Shillings, charged upon the Lands of Deans, Deans and Chapters, Parsons of Rectories, Gleab Lands, &c. there is yet a further sum wanting to enable the Purchasers to satisfy the money due upon their respective Contracts; which the remainder of the said Lands, after all the moneys and debts already charged thereupon, will be sufficient to satisfy: Be it therefore Ordained by His Highness the Lord Protector, by and with the Advice and Consent of His Council, That over and above the said federal sums of Three hundred thousand pounds, One hundred and twenty thousand pounds, and Twenty thousand pounds, and Two thousand pounds borrowed as aforesaid; as also the said sum of Six thousand eight hundred ninety two pounds five Shillings, charged upon the said Lands of the Creditors of Peter Smart deceased, the sum of Five thousand pounds shall be further borrowed upon the security of the premises exposed to sale by the said Acts and Ordinances, or either of them, in such sort, and according to the Rules, Directions, Regulations, Clauses, Conditions and Penalties, mentioned and contained in the Ordinance, whereby the Twenty thousand pounds aforesaid was appointed to be borrowed: And that all, every Person and Persons, Bodies Politick or Corporate, to whom any Debt capable of Doubling by the Rules aforesaid shall be due; and his and their respective Assigns, and all persons doubling such Debt, and their respective Assigns, shall have all and the like Liberties, Privileges, Benefits and Advantages respectively in reference to the premises as any person or persons, Bodies Politick or Corporate, that as any of their Assigns might or ought to have by the aforesaid Ordinances, appointing the doubling of the said Twenty thousand pounds, and Two thousand pounds, or either of them.

And be it further Ordained, That the respective Treasurers, Controllers, Register, Treasurers, Registers, Accountant, Surveys, General, and all other Officers attending the sale of the premises, and every of them, be hereby authorized and required in all things relating to the sum and sums of money which shall grow due upon doubling of any such Debts, by force of this Ordinance to pursue the Directions in



the before-mentioned Ordinances, given in relation to the moneys doubled, or which shall grow due upon the security thereof.

And whereas there is due unto Richard Shute of London, Merchant, the sum of One thousand pounds by him advanced, upon an Ordinance of Parliament of the One and twentieth of October, One thousand six hundred forty three, to the use of Sir Thomas Middleton Bart. which by the said Ordinance the Committee for sequestrations for London were to repay within six months, with allowance after the rate of Eight pounds per cent. Whereupon nevertheless no money hath been yet paid: Be it Ordained by the Authority aforesaid, That the said Richard Shute, his Executors or Assigns, shall be admitted to double the said sum of One thousand pounds, and the Interest due for the same in part of the sum to be doubled upon this Ordinance, as money due upon the publick Faith: And that the Trustees, Treasurers, Registers-Accountant, and all others whom it may concern, do admit and allow to the said Richard Shute or his Assigns, to double the same accordingly.

Saturday, September 2. 1654.

Ordered by His Highness the Lord Protector and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobel, Clerk of the Council.

### An Ordinance for admitting Protestants in Ireland to Compound.

**B**E it Ordained by His Highness the Lord Protector, by and with the Advice and Consent of his Counsel. That the Lord Deputy of Ireland, and the Counsel there for the time being, be authorized and impowred by themselves or such person and persons as they shall appoint, to compound with all and every person and persons being Protestants in Ireland (other then the Protestants in Munster mentioned in an Ordinance, entitled, An Ordinance for Indemnity to the English Protestants of the province of Munster in Ireland) who having been Delinquents there have not been excepted from pardon, and to set such Fines for the composition of all and every such person and persons for his and their Estates both real and personal as shall be fit.

Provided, That the Fine and Fines to be set and imposed for the real Estate of such person and persons shall not be less than two years full value of such Estate, as the same was worth to be let in the year One thousand six hundred forty. All and every which Fine and Fines shall bee paid into the publick Treasury there, at such time and times as the said Lord Deputy and Counsel shall appoint: And be it further Ordained by the Authority aforesaid, That upon payment into the said Treasury the Fine and Fines, which shall be so set and imposed as aforesaid by the respective person and persons so compounding, and within the times which shall

shall be so appointed; all and every such person and persons so paying in the same, and his and their heirs and assigns, and all and every the lands and estate which shall be so compounded for, shall be from thenceforth freed and discharged of and from all and all manner of Sequestration, Confiscation or Forfeiture, for or in respect of any Delinquency aforesaid, and the said Lord Deputy and Counsel, and such person and persons as shall be by them so appointed, are hereby authorized and enabled to give order for such discharge accordingly.

Saturday, September 22. 1654.

Ordered by His Highness the Lord Protector, and His Counsel, That this Ordinance bee forth with Printed and Published.

Hen. Stobell, Clerk of the Counsel.

### An Ordinance for bringing several branches of the Revenue, under the Managing and Government of the Commissioners for the Treasury and Court of Exchequer.

**W**HEREAS the duty of Excise and new Impost, the moneys arising by Prize-goods, the Rents, Issues, Profits and Poneys, due and arising out of the Sequestered Estates of Delinquents, and of the two third parts of the Estates of Popish Recusants, the money arising by the monthly Assessments, and some other branches of the present Revenue of His Highness the Lord Protector, and the Common-wealth, have not been, or at this time are not under the managing and government of the Commissioners of the Treasury and Court of Exchequer; To the end therefore that the said Revenues may be managed and improved to the best advantage, the moneys arising thereby may be duly answered and accounted for, the persons therein concerned may the better and more orderly be discharged, Be it Declared and Ordained by His Highness the Lord Protector, by and with the advice and consent of His Counsel, That the said Excise and new Impost, the moneys arising by Prize-goods, the Rents, issues, profits and moneys due and arising out of the Sequestered Estates of Delinquents, and of the two third parts of the Estates of Recusants, the 90000*l*. per mens<sup>m</sup>, for the later this months Assessments, to commence from the twenty ninth of September, 1654. to the twenty fifth day of December, then next following, and all other Assessments for the future, and other branches of the Revenue, as aforesaid, and every of them shall from henceforth be under the Survey, Regulation, and Government of the Court of Exchequer, and be managed, improved, charged, levied, and accounted for, in the method, manner, and way of the said

Court of Exchequer, according to such Orders, Rules and Directions, as the Commissioners of the Treasury for the time being, or any two or more of them, or the Treasurer and Chancellor of the Exchequer, which hereafter shall be, shall limit and appoint, save that the said later three months Assessment shall be taken, levied, collected and paid in, according to the Ordinance in that behalf, and shall be issued out according to such Orders and directions as the Committee for the Army shall receive from the Commissioners for the Treasury, any former Order or Ordinance to the contrary notwithstanding. And it is likewise Declared and Ordained by the Authority aforesaid, That the Commissioners of the Treasury for the time being or any two or more of them, and the Treasurer or Chancellor of the Exchequer, which hereafter shall be, shall have power, and are hereby fully authorized, for, & in the name of his Highness the Lord Protector and his Successors, for such Fines, and under such Kents and Covenants, as to them shall seem most advantageous for the service of his Highness and the Commonwealth (So that the Fines to be taken do not exceed two years value of the Kent to be reserved from time to time) to grant, let, and to farm let, by Leaf or Leases, to any person or persons whatsoever, for any time or number of years, not exceeding the term of three lives, or one and twenty years; All or any the Manors, Lands, Tenements, and Hereditaments, of, or belonging to Delinquents under Sequestration not exposed to sale, and the two third parts of all, or any the Manors, Lands, Tenements and Hereditaments, of, or belonging to Popish Recusants, not exposed to sale, as aforesaid if the right and interest of such Delinquents and Recusants, respectively shall so long continue. Which said Leaf and Leases to be granted as aforesaid, shall pass either under the Great Seal, or under the Seal of his Highness's Court of Exchequer, by Warrant under the hands of the Commissioners of the Treasury for the time being, or any two or more of them, or under the hands of the Treasurer and Chancellor of the Exchequer, that hereafter shall be, and shall be enrolled, and the rent thereupon to be reserved, shall be charged either with the Clerk of the Pipe, or with such Auditors, or other Officers singly and none other, as the said Commissioners of the Treasury for the time being or any two or more of them, or the Treasurer and Chancellor of the Exchequer, that hereafter shall be, shall order and appoint; And after such passing and enrolment, the said Leaf and Leases shall be good, effectual, and available in Law, to all intents, constructions and purposes whatsoever, according to the tenor, purport, and true meaning of them. And be it moreover Declared and Ordained by the Authority aforesaid, That all and every Fine and Fines, Kent and Kents, to be raised and reserved in and by such Leaf and Leases, as aforesaid, shall from time to time as the same shall accrue and become due and payable, be answered and paid to the use of his Highness and his Successors, either at the receipt of his Highness's Exchequer, or to such other officer or person, or shall by his Highness or his Successors be appointed to receive the same and be answerable and accountable for the same in the way and court of the Exchequer, as aforesaid; And in case any of the said Kents shall not be answered and paid accordingly, That there-  
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it shall and may be lawful to and for the Officers of his Highness Court of Exchequer, and such person or persons as shall be thereunto authorized and appointed to take and use all such lawful waies and means for; levying and bringing in the same, and the officers thereof (if any shall be) as have been heretofore used to; levying and bringing in other the Revenues of the Exchequer.

And whereas likewise divers persons have been and are employed as Commissioners, with managing estates and divers lands, estates and rents, have by several Ordinances and Acts of Parliament been exposed to sale, and several summes of money, either by doubling, or otherwise, have been charged upon the security of those lands, and also sundry officers and persons employed in and about the same, who have received, and do expect to receive their salaries from the Common-wealth;

And whereas also divers summes of money for Fines upon the Compositions of persons admitted to compound, and also upon the purchase of several Lands and Rents exposed to Sale, and by sundry other waies and means grown due, do stand out unpaid: Now to the end the persons who have any moneys charged as aforesaid, may receive due satisfaction, and the charges of Officers and persons employed, either taken off, or as much as may be reduced; Be it Declared and Ordained by the Authority aforesaid, That the Commissioners of the Treasury, for the time being, or any two or more of them, or the Treasurer and Chancellor of the Exchequer, that hereafter shall be, shall have power, and are hereby fully authorized to require all and every Commissioners, and other Officers employed as aforesaid, to put in speedy execution the powers committed to them respectively, for the full and final dispatch of the business in their management, and to dismiss such of them as they shall not finde necessary to be longer employed, and to regulate and settle the salaries and allowances of such as remain (which are not settled by Ordinances or Acts of Parliament, or by Ordinance of his Highness and his Council, as they shall judge meet) and also to require of them, and every of them from time to time, an account of their proceedings. And be it further Declared and Ordained by the Authority aforesaid, That it shall and may be lawful to and for all and every Commissioners, Officers and Officers, now employed in and about the Revenues not heretofore under the regulation and government of the Court of Exchequer, or any part thereof, to proceed in the performance and execution of such powers and trusts as have been committed unto them, and are now in force, until they receive from the Commissioners of the Treasury, for the time being, or any two or more of them, or the Treasurer and Chancellor of the Exchequer, that hereafter shall be, order and direction to the contrary, and no longer.

And lastly it is Declared and Ordained by the Authority aforesaid, That all and every the Officers, Ministers, and persons whom it sooth or may concern, shall observe and conform unto all such rules, orders and directions, as they shall from time to time receive from the Commissioners of the Treasury, for the time being, or any two or more of them, or the Treasurer and Chancellor of the Exchequer, that hereafter shall be, for, or concerning the charging, levying, paying,



paying and accounting for all and every summe and summes of money whatsoever, due and payable, or to be due and payable, to his Highness and the Common-wealth.

Provided that this Ordinance, or any thing therein contained, shall not extend to the issuing of any money out of the receipt of his Highness Exchequer, in any other way then is limited and appointed by an Ordinance of his Highness the Lord Protector and his Counsel, Dated the Twenty first of June. One thousand six hundred fifty four, Intituled, An Ordinance for bringing the publick Revenues of this Common-wealth into one Treasury.

Saturday, September 23. 1654.

Ordered by his Highness the Lord Protector and his Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Seppell Clerk of the Council.

An Ordinance appointing Commissioners to survey the Forests, Honors, Manors, Lands, Tenements and Hereditaments, within the usual Limits and Perambulations of the same, heretofore belonging to the late King, Queen and Prince.

**W**hereas by an Act of the late Parliament, Entituled, An Act for the Deafforestation, Sale and Improvement of the Forests, and of the Honors, Manors, Lands, Tenements and Hereditaments within the usual Limits and Perambulations of the same, heretofore belonging to the late King, Queen and Prince, It was Enacted, That for the raising of a present supply of moneys, required for carrying on the affairs of the Common-wealth, the said Forests, Honors, Manors, Lands, Tenements and Hereditaments should be exposed to sale. And whereas the said Act of Parliament is now become in sundry respects impracticable, especially for that the times for payment of the greatest part of the Moneys thereby allowed to be doubled are elapsed, and no moneys paid; by which means the services wherunto those moneys should have been applied or disappointed of that supply, and the persons who should have advanced, cannot now advance the same. And whereas also it is necessary as well for prevention of Waste and Spoyle within the said Forests and Premises, as in Order to the future disposition of them, either by Sale or otherwise, that exact Surveys should be speedily taken of them, and of all the Timber and Woods whatsoever in and upon them, and of all other their profits and appurtenances, to the end it may the better appear how the same may be disposed of and improved to the best advantage of the Common-wealth.

It is Ordained by his Highness the Lord Protector, by and with

with the advice and consent of His Council, That Commissioners shall be nominated and appointed by His Highness, and receive Commissions under the Great Seal of England, whereby such Commissioners shall be impowred to enter upon and survey all the Forests within England and Wales, and all Woods, Parks, Lammas Tenements and Hereditaments within the same heretofore belonging to the late King, Queen and Prince, or any of them (as the Perambulations of them are limited by an Act of Parliament made in the Seventeenth year of the late King Charles) and to that end (if need be) to keep Courts of Survey in and upon the Premises, or any part thereof, and to consider how the same may be best for the present and the future best improved and disposed for the benefit and advantage of the Common-wealth: to enquire what quantity of Acres within the premises, are the proper soil of, or do belong to the Common-wealth, with the quality and goodness of the same, what the said Forests are situated, what Game of Deer is kept upon them, what Parks now belonging to the Common-wealth are within them, what Officers belong to the premises of any of them, what is received and taken by the said Officers, and upon what grounds, and what hath accrewed, or of right ought to accrue to the Common-wealth out of the said Forests, and also to enquire and find out what part or parcels of the Ground or Soil of the said Forests and premises are claimed or enjoyed by any persons, and by whom they are enjoyed, what quantities and numbers of Acres the same do contain; what Estate or Estates, either in possession or reversion, the persons so claiming or enjoying have therein; and what yearly Profits or Benefit they are known to make thereby.

And it is likewise Ordained, That the said Commissioners shall be impowred and authorized as aforesaid, to examine and find out the quantity, quality and values of all Timber and Woods within the premises belonging to the Common-wealth, how the same have been or ought to be fenced, what profit ought to be made yearly of them for the Common-wealth, or lawfully taken by others; what quantities of the said Timber or Woods are claimed or enjoyed by any others, and how far the same are subject to the liberty of the Forests; what number of Commoners do challenge Commons, and the number of Cattle by Estimation yearly there to be Commoned; and also what Purprestures, Inclosures, late Encroachments or Incroachments have been had or made which may be questioned or disallowed, either in point of Soil, Common, or otherwise; what are the name and number of Acres of every Fellet within the premises, whether the Fellets have been duly and well fenced, and if not, in whose default the same hath been; what loss or damage hath accrewed to the Common-wealth for want of fences, or by cutting down Timber or Woods, or by undue brooding or suffering Cattel in the Coppices, or otherwise by whom the same hath been done; to what value the detriment amounteth, and how satisfaction may be made for the same.

And it is further Ordained by the Authority aforesaid, That the

said Commissioners shall be authorized and empowered as aforesaid, to hear and determine the Claims of Right and Interests of all and every person and persons, Bodies Politick and Corporate, Parish and Hamlet, of, in and to the premises, or any part or parcel of them, in such sort as by their respective Commissions, or such Instructions as shall be given them by His Highness and His Counsel, within three years next after the passing of this Ordinance shall be directed and appointed: And after such determination to allot and set forth such Proportions and Quantities of Land (parcel of the premises) as they shall judge to be competent and fit satisfaction for such Right or Interest respectively: And also to appportion and set forth such quantity of Land as shall be necessary for all Highways to be had and made through the premises, in such place and places as they shall judge convenient for that purpose: And all cases where any Estate of Inheritance (being within the Limits and Bounds of any the said Forests) shall upon the claiming and prosecution of the said Claim, be found to be the proper Soil of the person or persons claiming the same: The said Commissioners shall be authorized as aforesaid, to Treat, Compound and Agree with such person and persons, their Attorney or Attorneys for the De-assestment of the said premises, at such rate or rates as the said Commissioners shall think fit for the Common Wealth to receive in consideration thereof.

And it is further Ordained, That if any person or persons, Bodies Politick or Corporate, or the Inhabitants of any Township or Village, shall neglect to make their said Claims by the space of Thirty dayes, to be accounted from such time as publick Summons shall be given by the said Commissioners, then and from thence forth all and every such person and persons, Bodies Politick and Corporate, and Inhabitants, shall be for ever debarred from laying any claim, or receiving any privilege or advantage thereby.

And it is further Ordained by the Authority aforesaid, That the said Commissioners shall observe such Directions and Instructions concerning the Service, in and by this Ordinance appointed, as they shall from time to time receive from His Highness and His Counsel; and shall within Ten dayes after the full execution of their respective Commissions, or sooner, if they shall be therein required, certify under their Hands and Seals, or the Hands and Seals of so many of them as are sufficient to execute the same, the Surveys by them taken, and other their proceedings touching the premises, into the Court of Exchequer, and a Duplicate thereof unto Edward Cresset, William Webb, Josias Bernard, John Parker, Henry Pitt, Robert Aldworth and Francis Milsenden, Clerkes; or any four or more of them, nominated by Letters in the aforesaid Act of the late Parliament for De-assestment of the Forests.

And it is further Ordained by the Authority aforesaid, That all and every person and persons, who shall be nominated

nated and appointed Commissioners in pursuance of this Ordinance, before hee or they enter upon the execution of such Commission, shall before one or more Justice or Justices within the County where hee or they shall usually reside, take the Oath following; viz.

I *A. B.* do swear, That I will to my best skill and knowledg, faithfully discharge the Trust committed unto mee in relation to an Ordinance of his Highness the Lord Protector and His Counsel, Enacted, An Ordinance appointing Commissioners to Survey the Forrests, Honors, Manors, Lands, Tenements and Hereditaments, with the usual Limits and Perambulations of the same, heretofore belonging to the late King, Queen and Prince; and that I will not for favor or affection, Reward or Gift, or hope of Reward or Gift break the same.

Saying Oath, such Justice or Justices are hereby authorized to administer.

And it is further Ordained by the Authorities aforesaid, That the said Commissioners shall bee authorized as aforesaid, in all cases, matters and things that shall bee contained in their respective Commissions or Instructions to examine upon Oath or otherwise, which Oath they are hereby Authorized and Impowred to administer.

And it is further Ordained, That the Commissioners by the custody of the Great Seal of England, or the keeper thereof for the time being, shall pass Commissions under the said Great Seal, according to the intent of this Ordinance, to such person and persons as his Highness the Lord Protector, by Warrant under His Hand shall from time to time direct.

Monday, August 21. 1654.

Ordered by His Highness the Lord Protector, and the Counsel, That this Ordinance bee forthwith Printed and Published.

Henry Scobell Clerk of the Counsel.



An Ordinance for reviving and continuing an Act  
of Parliament for recovery and preservation of  
many thousand Acres of Ground in *Norfolk* and  
*Suffolk* surrounded by the rage of the Sea.

**B**e it Ordained and Established by His Highness the Lord  
Protector, with the advice of his Council, That one Sta-  
tute or Act of Parliament made in the seventh year of the  
late King James, for the speedy recovery of many thousand  
Acres of Marsh Grounds and other Grounds within the Counties  
of *Norfolk* and *Suffolk* lately surrounded by the rage of the Sea in  
several parts of the said Counties, and for the prevention of the dan-  
ger of the like surrounding hereafter, and which in the Parliament  
holden in the third year of the late King Charles was continued and  
to stand in force until the end of the next Session of Parliament then  
shall by virtue of this Ordinance be amended ever since the Session  
of Parliament in the said third year to have been of such force and ef-  
fect as the same was the last day of that Session, and from thence-  
forth until some other Act of Parliament touching the continuance or  
discontinuance of the said Statute and Act made in the said seventh  
year of King James.

Sunday, September 21. 1654.

Ordered by His Highness the Lord Protector, and the Council, That  
this Ordinance be forthwith Printed and Published.

Henry Sevell Clerk of the Council.

## An Additional Ordinance for the Excize.

**W**hereas by an Ordinance of the Parliament of March last, Entituled, An Ordinance for continuing the Excize, it is next after the Words *It is hereby* generally declared and proclaimed, That all such goods and Merchandizes (Except Bullion, Corn, Victual, Arms, Ammunition, Ordinance of Brass or Iron, Imported or to be Imported) not free, but therein rated, should pay after the rate of Five pounds per Centum, according as the same are charged by the Bank of England for the Customs to be paid by the first Buyer or Importer.

Be it Ordained, and it is hereby Ordained and Declared by His Highness, with the Advice and consent of his Council, That the said clause be still and still, and in that behalf it is hereby Ordained and Declared, That all other Goods and Merchandizes mentioned in the Book of Rates for the Customs (except Bullion, Corn, Victual, Arms, Ammunition, Ordinance of Brass or Iron, and Wools of Sheep Imported or to be Imported) which are not in the said Rates of Excize, but are of otherwise charge, shall hereafter pay Excize, after the Rate of Five pounds per Cent, to be paid by the first Buyer from the Merchant or Importer, and the same is to be collected accordingly.

And to the end the whole Receipts of the Excize may the better be reduced into one Cash, and the charge and number of Officers thereby retrenched, It is hereby Ordained by Authority aforesaid, That from and after the Twentieth day of March last, the Receiver of the Excize shall be but one Receipt, and so Accounted for; and that all Receipts, and Accounts heretofore taken or kept of any payments of Excize or Acts Impossi, by virtue of any Additional Act, Ordinance or Order of Parliament, and designed to any separate use or uses whatsoever, shall from thenceforth cease and be void, and be brought and reduced to one general Cash and publick Revenue. Provided nevertheless, That the moiety of all Fines and Forfeitures, imposed and received since the Twentieth day of March last, or that hereafter shall be imposed and received, shall be still kept in an Account apart, and be paid out towards the maintenance of Widows and maimed Soldiers, According to an Ordinance of Parliament of the thirteenth of July, One thousand six hundred forty seven.

And it is hereby for the further relief of the said Widows and maimed Soldiers, Ordained, That from and after the said Fifth and twentieth day of March last, there shall be, out of the general Cash and Revenue of the Excize, allowed the certain yearly sum of Twenty six thousand two hundred and sixty pounds, to be paid weekly by equal portions out of the said publick Receipt unto such Person or Persons as is, are, or shall be appointed thereunto by His Highness and His Council, and be instructed for employing and disposing thereof to the use aforesaid: Which said yearly sum of Twenty six thousand two hundred and sixty pounds is to be in lieu

of all and every summe and summs of money assigned by any Act, Ordinance or Order of Parliament, out of any the Receipts of the Excise, for the relief of the said Widowers and married Soldiers, other than the moiety of fines and forfeitures before excepted; and the present Commissioners of the Excise, or any three of them, shall have power from time to time to draw out all moneys, either debited over unto them, by the Commissioners preceeding them; or which hath been; shall be received by them since the five and twentieth of March last, according as they are; shall be directed by His Highness the Lord Protector and His Council, as by Authority thereof. And the said Commissioners for Excise and their Sub-Commissioners are hereby impowred to make Repayment of the Excise to any Person whatsoever, for any Cusse imported upon the Exportation thereof, in such sort as the said Commissioners might have done before the five and twentieth day of March last; It appearing unto them that the duty of the said Cusse have been fully paid, Any former Clause, Article or Provision to the contrary notwithstanding.

Thursday, May 4. 1654.

Ordered by His Highness the Lord Protector, and His Council, That this Ordinance bee forthwith Printed and Published.

Hm. Stibel, Clerk of the Council.

### An Ordinance

An Ordinance for taking an Account of the Money  
received upon the Act for the better propagation  
and preaching of the Gospel in Wales, &c.

**W**HEREAS by an Act of Parliament made the twelfth  
day of February one thousand six hundred and  
fourty nine Entituled An Act for the better propaga-  
tion and preaching of the Gospel in Wales, and parts of  
some neighbouring Counties: It was enacted amongst other things, That the  
Commissioners in the Act mentioned, or any twelve or more of  
them, should be authorized and enabled by themselves, or others re-  
ceiving authority from them, to receive and dispose of all and singular  
the Rents, Issues, and Profits of all and every the Rectories,  
Vicarages, Donatives without Cure, Portions of Lands, and o-  
ther Ecclesiastical Livings, which then were, or afterwards should  
be in the disposing of the Parliament, or any other receiving Autho-  
rity from them: as also to receive and dispose of the Rents, Issues,  
and Profits of all Impropriations and Glebe Lands within the said  
Counties, which then were, or afterwards should be under Appre-  
hension, or in the disposal of the Parliament by virtue of any former  
Statute, or any Act or Ordinances of that present Parliament: And  
the said Commissioners, or any twelve or more of them, should out  
of the said Rents, Issues and Profits of the Premises, buy and  
appoint a constant yearly maintenance for such persons as should be  
recommended and approved for the Work of the Ministry, or Edu-  
cation of Children, and for such other Purposes as were then re-  
quiring in the said Counties.

And whereas it was then further enacted by the Authority afo-  
resaid, That the said Commissioners, or any twelve of them out  
of the said Rents, Issues and Profits by them receivable by virtue of  
the said Act, should and might allow such moderate Salaries for Ma-  
gistrates to such person or persons who should be employed in the receiv-  
ing, keeping and disposal thereof, or any part thereof, as they should  
conceive to be necessary and reasonable: Therefore to the end that  
there may be a just Account given and taken of all such Rents, Is-  
sues and Profits of all and every the Rectories, Vicarages, Dona-  
tives without Cure, Portions of Lands, and other Ecclesiastical  
Livings, Impropriations and Glebe Lands, according to the true  
intent and meaning of the said Act: It is by His Highness the Lord  
Protector of the Common Wealth of England, Scotland and Ireland,  
by and with the Advice and Consent of His Council Ordained, and  
he it hereby Ordained by the Authority aforesaid, That Sir Hugh  
Owen Barnewell, John Corbet Esq; Chief Justice of the Court  
at Glamorgan, Brecon and Radnor, John Pagen Esq; Chief Justice  
at Carmarthen, Pembroke and Cardigan, Bennet Hookins Esq; one  
other of the Justices of Carmarthen, Pembroke and Cardigan, Roger  
Lord Esq; Arthur Owen Esq; George Gwyn Esquire, John Watfon  
Esq;



Esq. High Sheriff of the County of Radnor, Edward Graves Esq. John Williams of Connedy Esq. Edmund Thomas Esq. Herbert Evans Esq. Robert Thomas Esq. Robert Lougher Esq. Charles Gwyn Esq. William Jones of Llak Esq. Henry Baker Esq. John Walter Esq. Roger Williams Esq. be hereby constituted and appointed Commissioners for that purpose in the Counties of Glamorgan, Brecon, Radnor, Carmarthen, Pembroke and Cardigan, and County of Monmouth; and that Matthew Morgan, Thomas Lloyd and John Blakiston Esqs of the County of Montgomery, Captain George Barber, Simon Thelwall the younger Esq. Samuel Swannack, Ralph Wells, William Wyn Esq. Justiciary of the Federal Counties of Merioneth, Carnarvan and Anglesey, all of the County of Denbigh, Ralph Hughes, Thomas Chuluckley, Dinrock Esqs; and John Hammer of Caerwallagh Gent. of the County of Flint, Thomas McDryn Esquire, of the County of Carnarvan, and <sup>John de la Haye</sup> Holland Esquires, of the County of Anglesey, be hereby constituted and appointed Commissioners for the Counties of Montgomery, Denbigh, Flint, Merioneth, Carnarvan, Anglesey; and that the said Federal Commissioners in their federal Courts, or any two or more of them, are hereby authorized and authorized by their Oaths, to cause their Oaths and Seals, to call before them all such persons, who by authority or colour of the law do take interference in receiving, keeping and disposing of the said Rents, Issues and Profits, of all or any the Rectories, Vicarages, Donatives without Cure, Possion of Deaths, and other Ecclesiastical Livings, Impropriations and Glebe Lands as aforesaid, to give a true and perfect Account upon Oath; which Oath the said Commissioners are authorized to administer to all such Rents, Issues and Profits, which they or any of them have received. And if they or any of them shall refuse to give a true and perfect account as aforesaid, Then the said Commissioners, or any three or more of them, are hereby authorized and authorized to commit him or them to refusing to the Goal of the County, there to remain until they shall conform themselves; and upon any Account so exhibited as aforesaid, the said Commissioners or any three or more of them, shall cause all such payments to be made and truly paid according to the intent of the said Act: But if the said Commissioners, or any three or more of them do conceive that the said Accounts are not true either in the Receipts or Disbursements, The said Commissioners, or any three or more of them, shall sue charge the said persons with such Oath as they shall think to be in their hands and the accounts for, and shall give them time to clear themselves of the said charge, and to provide themselves for the hearing of the said Cause; and the said Commissioners, or any three or more of them, are hereby authorized and authorized to administer an Oath to all such Witnesses, for the purposes within this Ordinance produced for either party; and also to call before them any such other person or persons which they in their discretion shall think fit and requisite, for the better information of themselves in the truth of the Premises; which persons shall also be examined upon Oath, to testify the truth of their knowledge upon

upon such Interrogatories, as the said Commissioners, or any three or more of them shall administer, and their Oupings and Depositions therein shall cause to be set down in writing, and shall and may send such in Custody such persons as refuse to come upon Summons, and commit them, and all such as refuse to be examined, untill they submit themselves; and shall also have power to cross-examine any other of the witnesses of such persons as are called before them, to give a perfect Account of such moneys as they have received as aforesaid. And if it shall appear upon the examination of such Witnesses, That the persons so employed in receiving the Rents, Tithes and Profits of the premises, or any of them, have any of the said Moneys remaining in their hands, or cannot give a good and full Account how they have disposed thereof, according to the intent and true meaning of the said Act; Then the said Commissioners, or any three or more of them before whom the said Account was taken, shall and may order and require such person or persons in whose hands there remains any sum of money received out of the Rents, Tithes before-mentioned, and not lawfully disposed of, to pay the same into the hands of such Treasurer or Receiver, as the said respective Commissioners shall nominate and appoint for that purpose; which Treasurer or Receiver, shall within three Months pay in the same into His Highness's Exchequer at Westminster.

And if any person or persons so charged with any money upon their Accounts as aforesaid, as due to the Common-wealth shall refuse or neglect to pay in the same within one Month unto the said Treasurer or Receiver as aforesaid, That then the said respective Commissioners shall certify such Account into the said Exchequer at Westminster, to be proceeded upon according to the course of Accounts for other Accounts there. And if it shall appear, That any person called to an Account by virtue of this Ordinance hath made a true and perfect Account, and that nothing remains in his hands due to the Common-wealth, or His Highness the Lord Protector, in right of the Common-wealth; Then the said several and respective Commissioners within their several Limits, are authorized to give Discharges and Exonerations for the future sale and selling such person or persons from any further Account, trouble or vexation, for as by reason of his receiving or intermeddling with the Rents, Tithes, or other Moneys aforesaid; which Exoneration may be pleaded and made use of upon all occasions, in bar of any further Account, either in the Court of Exchequer aforesaid, or elsewhere.

Wednesday, August 30. 1654

Ordered by His Highness the Lord Protector and his Counsel, That this Ordinance be forthwith Printed and Published.

Henry Scabell Clerk of the Counsel.